

KP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED **ETA**

MAY 29 2015
MAY 29 2015
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Aaron Miller

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

15cv4795

Judge Samuel Der-Yeghiayan

Magistrate Judge Geraldine Soat Brown

Case N
(To b

PC8

vs.

City of Chicago, Chicago Police Dept.

P.O. Figueroa, Sentinel star #15428

P.F.I. Nivdach, Zbig Nicw star #17629

Sgt Zaher Nicholas star #914

Nicholas Roticheit, organized crime

Officer DeCook star #5300

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Aaron Miller
- B. List all aliases: N/A
- C. Prisoner identification number: M43843
- D. Place of present confinement: Pinckneyville, Illinois
- E. Address: P.O. Box 999 62274

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: City of Chicago
Title: Chicago Police Department
Place of Employment: N/A
- B. Defendant: Jenelyn Figueroa #15428
Title: Police officer
Place of Employment: Chicago Police Dept.
- C. Defendant: Niwadach Zbig Niew star 17629
Title: Police officer
Place of Employment: Chicago Police Dept. City of Chicago

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Additional defendants that I would like added to this case, because there isn't enough room on the page where defendants are located.

1. GRACE Foster Chicago Police 101901's star number works for City of Chicago
2. Lt. Cathleen Rendon Chicago Police city of Chicago star #722
3. Detective William Fielder Chicago Police city of Chicago star #20532
4. Chief of organized Crime Nicholas Roti
5. MARVIN Siler chief of Administration
6. Andrea Stoutenborough Coordinator of I.P.R.A. city of Chicago
7. Kristi Lyons Investigator for I.P.R.A city of Chicago
8. Alexis Ameynga star 022
9. Tomas Byrne Chief of Detective Division *AND OCIC Alexander ^{cap. 45} Chicago Police

10. The following work for States Attorney office

States Attorney Anita Alvarez 300 Daley Center Chicago, IL 60602
Asst. States Attorney Lynn McCarthy 300 Daley Center Chicago, IL 60602
Asst. States Attorney Ruth Gudinio 300 Daley Center Chicago, IL 60602
Asst. State Attorney Shawn McCarthy 300 Daley Center Chicago, IL 60602

This Judge works at Cook County Court
Lawrence Flood 2600 S. California

Finally Defense Attorney ~~Mark~~ Richard B. Friedman
53 W JACKSON Chicago, IL 60604 suit 1260

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: AARON Miller V. TOM DART
14 CV 00031
- B. Approximate date of filing lawsuit: JAN, 2, 2014
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: TOM DART CINDY Klien, Supri Reyes
DR. NASURE, SHIER DURAN, Nurse Jefferson
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Federal Court Northern District of Illinois Eastern Division
Northern
- F. Name of judge to whom case was assigned: Judge Gattschall
- G. Basic claim made: Deliberate Indifference
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Still pending
- I. Approximate date of disposition: UNKNOWN

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I'm filing suit under "RICO" 18 USC 1961-1963 (1994 AND Supp III) based on the
fact that the Chicago Police have shown a pattern of Racketeering as their conduct
through an enterprise has caused injury to the plaintiff's business or property,
by participating in a net or web of either obstruction of Justice, Gross EX-
Cessive force, Forgery, fabricating Evidence, Murder, Conduct that could cause
An unlawful homicide false Arrest threats of force, Counterfeiting, and force to
obtain an official Act. The police officers that were involved with knowing
about or actually acting in these crimes or Aiding and Abetting to conceal the
fact that officer Figueroa, Jewelyn star # 15428 shot plaintiff ^{six} times
with a weapon that was not registered to officer Figueroa, but registered to
her friend Lenora Dumag, yet was reported lost or stolen because at
some point it was recovered Sept-30-2011. The officers are as follows, officer
Grace Foster star # 10790 gave false statement pertaining to what happened,
during the situation. P.F.I. Niewidach, Zbigniew star # 1769 is the forensic
investigator that signed off on the inventory sheet pertaining to the
illegal weapon that said the weapon with Serial # LC6704 was intact
cleared and registered to officer Figueroa knowing that the illegal
weapon was not registered to officer Figueroa. He and officer Decook # 5300

another forensic investigator Not only signed off signed off on the
 inventory sheet, but he also forged, and fabricated the Crime scene Report
 the Major Incident Report. There is Evidence that investigator Niewbach
 Claimed he never handled the illegal weapon later he states he handled
 the weapon Swabbed it in front of Officer Alexander for prints. Other
 officers and parties that partook in this Conspiracy to Fabricate Evidence
 to show that the illegal weapon that was used to shoot plaintiff
^{six} ~~times~~ times was officer Figueroa's weapon are as follows. Sgt. Zaber
 Star #914 saw to it that he received the illegal weapon his officer used to try to
 Murder the plaintiff. Despite the fact according to the Chicago Police Directives
 and policies he has no authority to deholster a fired weapon, A forensic
 officer is the only officer that has the Authority to deholster a fired police weapon,
 to prevent a miscarriage of Justice, Yet Sergeant Zaber went out the scope
 of his duty and deholstered the illegal firearm that was used to unlawfully
 Murder the plaintiff. When questioned by the I.P.R.A. he lies and says
 he got the information pertaining to the illegal weapon of the Computer from
 the district. Yet when I.P.R.A. investigated the person that shot the gun
 "Smokin gun" Figueroa, she clearly states the Serial number to the weapon
 that was fired she states she gave him the Serial number face to face in
 the district to Sgt Zaber. Proving Sgt Zaber didn't get the false Serial
~~the~~ Number of the weapon fired off the Computer the information he gave
 was officer Figueroa's Serial Number to her Duty weapon, but Sgt Zaber

Was suppose to get that information from the Actual Weapon
 fired which had Serial number LCG 704. Not PY4302, which
 was Figueroas duty Weapon which he obviously knew. He
 forged and fabricated the tactical report, Crime scene report,
 Inventory report, Major incident report as did officer Figueroa,
 Lt. Cathleen Rendon star #202, Detective William Fielder star #20532,
 Chief of organized Crime Nicholas Roti, Marvin Shear chief of Administration
 Andrea Stoutenborough the Coordinator of I.P.R.A. Kristi
 Lyon is the investigator that investigated the illegal shooting for I.P.R.A.
 Alexis Ameynga star #22 Tomas Byrne Chief of detectives Division,
 Assistant states Attorney Lynn McCarthy said there was no evidence
 of wrongdoing by the Chicago Police. Anita Alvarez Ms. Ruth
 Gudino and Shawn McCarthy the last four defendants are from
 the States Attorneys office, two have the same last name
 coincidentally. Every one i've named as a defendant, either did an
 actual act in this Conspiracy net or knew about it and okayed
 it by participating in a code of silence, to allow the Conspiracy
 to take place. Lenora Dumag is the friend of officer Figueroas
 that owned the firearm that was used to Murder plaintiff. She is also
 named as a defendant. I now can not participate in being an operating
 engineer that because of the physical and mental injuries I've
 sustained because of this Conspiracy. I was in a coma for 2 1/2
 months, I had an 8% chance to live which made this Conspiracy
 easy to do if I had died. I now have Scissures, shot in right arm twice
 shot in chest multiple times, stomach once, I still have bullet in
 stomach and chest. On Sept-30-2011 Officer Figueroa Actually

made an attempt to secure the stolen weapon, illegal weapon, knowing it was different in color, and size of her registered duty weapon. Figueroa registered duty weapon serial number is PYY 302 "Blue" in color 4 1/2 in barrel the illegal weapon she used to try to murder plaintiff and gave false information about and obstructed justice. Serial number is LCG 704 Black in color with a 4 in barrel, there's no way a trained officer would've mistaken these two weapons for each other. The size of the barrels would've caused the two firearms to rest in the holster differently, the colors could not have gotten confused. Figueroa also used police bullets in a non-police weapon which is another felony. Not to mention the fact that all the defendants knew she committed state and federal crimes but failed to report them. The officers, states attorney and judge flood all acted under the color of state law when each and every crime was committed. Officer Waters, Milton star # 5373 blew the whistle on Figueroa when she tried to secure the illegal weapon on Sept-30-2011. If he would've turned a blind eye on this conspiracy, Figueroa would've gotten away with breaking state and federal crimes, her Foia card didn't match the serial number to the fire arm that was inventoried. The Appellate defenders office has told me if I appeal the criminal case I can get from 20 to 85 years, so that discourages me from appealing the case. The Heck Clause prohibits plaintiffs for filing suit even if they do have a case if they were found guilty of certain crimes. But because the Chicago Police have shown a pattern of

Pg 5 of 5
Statement of claim

Racketeering this suit qualifies under Rico U.S.C 18 "Rico"
 1961-1968 (1994 ed. And Supp III), United States v. Turkette,
 452 us 576, 101 S.Ct 2524, 69 L.Ed 2d. 246 (1981)
 Lastly EVENS v. City of Chicago. 2001 WL 1028401 (N.D. Ill. 2001)
 My Attorney never notified me about the fact that I was shot
~~six~~ with an illegal weapon, nor did he bring these facts
 up during trial, which is not trial strategy, it makes no legal sense,
 And causes me to believe he also participated in this conspiracy
 Also while taking my funds, so I name him as a defendant also,
 Along with Judge Lawrence Flood, he ruled on the Criminal
 Case, yet he's an ex detective of the Chicago Police Dept
 And wouldn't allow anything pertaining to the shooting be
 apart of trial. He controlled the outcome sadly, I believe
 he knew that I was shot with an illegal weapon so I
 name him also as a defendant. I did not find out I got shot
 with an illegal weapon until July-29th 2014 when I received
 the discovery sent from the city of Chicago law Dept. Kristin
 Accuff through FedEx Tracking no # 805770169965.
 At that time I received the discovery from the civil case I
 had against the Chicago Police Dept that I had withdrawn
 from without prejudice because the Heck clause prevented
 me from moving past the Summary Judgement.

Please feel free to contact local 150 operating Engineers,
 they will let the Courts know I've been a Journeyman since
 (2000) And am still a dues paying member in good standing

Local 150 PH: 1-708-482800 My SS: 361-64-6409
 6200 S. Dolich RD. EVEN AFTER FIGUEROA'S SHOT ME
 Countryside, Illinois WITH ILLEGAL WEAPON SHE GOT AN AWARD FOR VALOR!

Sergeant Zaber was also dishonest about Officer Figueroa going to the hospital along with PFI Niwdaeh Stewart #7229. Officer Figueroa has testified she wasn't hurt nor went to the hospital as the Battey Report indicates that Sgt Zaber filed. The only reason she lied about her going to the hospital so that it would seem like an emergency situation so that it could possibly give reason for the Sergeant, Sergeant Zaber to holster his officer to get the illegal weapon, this is what connected, ~~connected~~ connected Lt Rendon #722 to the conspiracy, she gave an order to holster the weapon and knew it wasn't Figueroa's weapon because she was on scene. Sergeant Zaber says in an I.P.R.A. investigation someone told him to holster the illegal weapon, he doesn't remember who. But he does know it went out the scope of his duty and knows he lies about Figueroa going to the hospital.

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Award "Rico" damages. I would like to hold the defendants financially
responsible for both compensatory damages that are to be trebled and
punitive damages, and also attorney fees because defendants has caused
plaintiff economic loss to his business or property including loss of wages
and professional opportunities. In the amount the court and jury
deems just and fair yet AWARD DAMAGES under "Rico" (U.S.C. 1961-1968 (1994 and Supp III))

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 21ST day of MAY, 20 15

Ron Miller

(Signature of plaintiff or plaintiffs)

AARON MILLER

(Print name)

M43843

(I.D. Number)

P.O. Box 999

PINCKNEYVILLE, IL.

62274

(Address)

INDEPENDENT POLICE REVIEW AUTHORITY

05 October 2011

TO: Nicholas Roti
Chief
Organized Crime Division

fax 5-6867

FROM: Investigator Kristi M. Lyons #123

SUBJECT: REQUEST FOR CAGE TEAM TRACE OF RECOVERED WEAPON(S).

The Reporting Investigator is requesting a copy of the results of the trace conducted by the CAGE team for firearms below that were recovered in the captioned Officer Involved Shooting investigations. Please have the results sent to me by FAX at (312)745-3591 (if possible) or via Inter-Department mail at Unit 113/IPRA. Thank you for your attention in this matter.

- 1) RD #HT331501; Log #1045896 U#11-28- CPD Inventory #12333238
Glock, Model 19, 9MM, Semi-Automatic Pistol, 4 inch barrel, Black/Black Polymer
Serial Number LCG704
- 2) RD #HT331501; Log #1045896 U#11-28-
Glock, Model 19, 9MM, Semi-Automatic Pistol, 4.2 inch barrel, Blue
Serial Number PYY302

Kristi Lyons #123
Inv. Kristi M. Lyons #123

APPROVED:

Alfonso Amegun #022

Supervisor/IPRA

LOG# 1045896 U#11-28
Attachment# 101

Summary



Page 1 of 2

Home - Firearm Registration

Name: FIGUEROA, JENELYN

1. Applicant Information 2. Firearms 3. Review

Steps: 3. Review

✓ Print Address

Applicant Information

Print Card No.

CFP No.

Last Name FIGUEROA

Birthdate

Race WHITE HISPANIC

US Citizen? Yes

CFP Status

First Name JENELYN

Driver License No.

Sex FEMALE

MI

State IL

Suffix

SSN

Vacate Code Vacate Date

Organization No Non CPD Sworn No CPD Sworn Yes Convicted of Felony No



Residence

Business

100 South RACINE AVE CHICAGO IL 60607 3127468396 1213

Registered Firearms

Phone No. [REDACTED] Select Printer Label 1

Select Printer	Print No	Registration	Serial No	Firearm Make	Firearm Model	Firearm Type	Caliber	Barrel Length	Firearm Status
		625608	CDR0834	SMITH & WESSON	642	REVOLVER	38	2.0	OUT OF SYSTEM-THIS REGISTRATION IS INACTIVE
		R019673S	PYY302	GLOCK GMBH	19	PISTOL	9	4.0	REGISTERED

Attachments

no data found

1-2

http://chris.chicagopolice.org/pls/clear/?p=13420:1000:1811223085688370::NO:::&success_msg=Print%20Address%2F81F28547E... 10/4/2011

EXHIBIT B

Miller 13 C 3225

FCRL 001056

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
NATIONAL TRACING CENTER
Phone: (800) 788-7133 Fax: (800) 578-7223



Print Date: October 05, 2011

FIREARMS TRACE SUMMARY

Trace Number: T20110263531

Request Date: September 30, 2011

Completion Date: September 30, 2011

JACINTA O'DRISCOLL
CHICAGO POLICE DEPARTMENT
3340 W FULLMORE ST, 2ND FLOOR
CHICAGO, IL 60624
PHONE: (312) 746-7628 Ext:
FAX (312) 745-0709

Badge No: 6247
Investigation No: HT331501

FIREARM INFORMATION

Manufacturer: GLOCK GMBH
Model: 19
Caliber: 9
Serial Number: LCG704
Type: PISTOL
Country: AUSTRIA
Importer: GLOCK INC, SMYRNA GA
Obliterated:
Identifying Marks:
Gauge Name:

RECOVERY INFORMATION

Recovery Date: 09/30/2011
Time to Crime: 1550 days

3340 W FULLMORE ST
CHICAGO, IL 60624

Possessor:
DOB:
POB:

PURCHASER INFORMATION

LEANORA ANGELA DUMAG
10018 DEVON AV
ROSEMONT, IL 60018
DOB: 12/05/1975
POB: CHICAGO, IL UNITED STATES

Race: WHITE

Sex: Female

ID 1: IL FIREARMS OWNERS ID: 25010612

ID 2: SOCIAL SECURITY:

Contact the local ATF office for additional information.

ADMINISTRATIVE INFORMATION

DISTRICT:
BEAT OF RECOVERY:
INVENTORY #:
POSSIBLE SERIAL #:
INVESTIGATING OFC:
IUCR:
AGE OF POSSESSOR:

DEALER INFORMATION

SHORE GALLERIES INC
3318 W DEVON AVE
LINCOLNWOOD, IL 60712-1391

Phone: (847) 676-2900 Ship-To-Date: 06/13/2007
Ext:

FFL: 33601521

SUMMARY OF RESULTS

The information in this report must be validated prior to use in any criminal proceedings.

Trace: T20110263531
FOR OFFICIAL USE ONLY

LOG # 1045896 / U#11-28
Attachment # 102

Miller 13 C 3225

Exhibit 10 KC

FCRL 001061

SEP-30-2011 12:47 From:13127467247

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BUREAU OF ADMINISTRATION
Evidence and Recovered Property Section

30 SEPTEMBER 2011

TO: Marvin Shear
Deputy Chief
Bureau of Administration

FROM: Sgt. David Blyskal
Evidence and Recovered Property Section

SUBJECT: Complaint Log Initiation Report
CR # 1048947

Complainant: P.O. FIGUEROA, Jenelyn #15428 Empl [REDACTED] Unit (012) DOA 13 SEP 99

Accused: Unknown

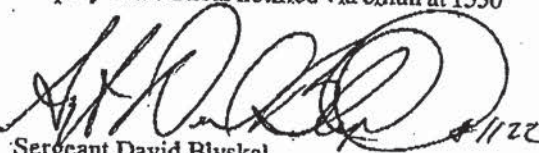
Witness: WATERS, Milton #5373 Empl [REDACTED] Unit (167) DOA 18 JAN 94

Date & Time of Incident: 30 September 2011 1030 Hrs.

Reference Numbers: RD# HT331501 Inventory # 12333238

Attachments: 1 Copy of Inventory, 1 copy firearms worksheet, 1 copy firearm registration, 1 copy Theft case

On today's date at approximately 1030 Hrs. the complainant, Officer Jenelyn Figueroa arrived at the Evidence and Recovered Property Section to retrieve her duty weapon which was inventoried on 05 June 2011 subsequent to an aggravated battery investigation. Officer Figueroa's weapon, which was inventoried under inventory # 12333238, was retrieved from the ERPS "B" Vault with the original sealed bag intact. The package was opened by Officer Milton Waters of ERPS in the presence of Officer Figueroa. Officer Figueroa at this time informed Officer Waters that the weapon inventoried was not her weapon. The weapon inventoried under inventory # 12333238 as Officer Figueroa's on 05 June 11 is a Glock Model 19 9mm semi-auto pistol with serial # LCG704. Officer Figueroa states that her weapon was a Glock Model 19 semi-auto pistol with a serial #PYY302. The undersigned then completed an unsuccessful computer query via etrack in an attempt to locate Officer Figueroa's weapon. The undersigned also determined that the weapon on hand (serial #LCG704) was unregistered. It was also verified at this time that Officer Figueroa does have a Glock model 19 serial PYY302 registered to her. A GOCR was completed for Theft Over under RD# HT521216 Event # 1127307704. IPRA was notified at 1301 Hrs. and Complaint Log 1048947 was obtained by Investigator Wolfe #44661. Deputy Chief Shear notified via email at 1330 Hrs.


Sergeant David Blyskal
Evidence and Recovered Property Section

Miller 13 C 3225

"Exhibit D"

FCRL 001239

SEP-30-2011 12:48 From:13127467247

Page:7/7

Bureau Of Administrative Services

30-Sep-11

To: Lt Victor Mitkal
Commander
Evidence and Recovered Property Section

From: P. O. Milton M Waters IV #5373

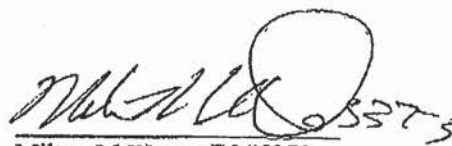
Subject: Officers Weapon

This to From subject is to report R/O's knowledge of inventory #12333328. On above date and time R/O received a form 54 requesting the return of Inventory# 12333238 to Officer Figueroa. Upon receipt of said inventory R/O opened the sealed container inspected the weapon and matched the contents to the serial number written next to the items description.

R/O requested P/O Figuero's FOI card and registration for verification and at that time it was discovered that the inventoried weapon had a different serial number than the one on P/O Figueroa's gun registration.

At this time R/O presented the firearm to P/O Figuero for her inspection and verification, at that time P/O Figuero informed R/O that the weapon was not her weapon. P/O Figuero informed R/O that the firearm was not the model of her weapon and the serial number did not match the serial number of her weapon.

R/O requested a supervisor at that time.


Milton M Waters IV #5373

Approved:

SEP-30-2011 12:48 From:13127467247

Page:6/7

Chicago Police Department - Incident Report

RD #: HT521216

FIREARMS	Firearm #:		Possessor/User: Figueroa, Jenelyn	
	Type: Pistol			
	Make: Glock, Inc.--Au--	Model: 19	Serial #: PYY302	
	Feature: Black	Caliber/Gauge: 9 caliber	Barrel Length: 4	
	Displayed? No	Used? No	Registered? Yes	Recovered? No
	Taken/Stolen? Yes	Duty Related? No		Evidence?
	Owner Known? Yes	Owner: Jenelyn Figueroa		
	Registered Status: Clear		Magazine Capacity: 15	
# Live Rounds: 9				

ON TODAY'S DATE AT APPROXIMATELY 1030 HRS. THE COMPLAINANT, OFFICER JENELYN FIGUEROA ARRIVED AT THE EVIDENCE AND RECOVERED PROPERTY SECTION TO RETRIEVE HER DUTY WEAPON WHICH WAS INVENTORIED ON 05 JUNE 2011 SUBSEQUENT TO AN AGGRAVATED BATTERY INVESTIGATION REPORTED UNDER RD# HT331501. OFFICER FIGUEROA'S WEAPON, WHICH WAS INVENTORIED UNDER INVENTORY # 12333238, WAS RETRIEVED FROM THE ERPS "B" VAULT WITH THE ORIGINAL SEALED BAG INTACT. THE PACKAGE WAS OPENED BY OFFICER MILTON WATERS OF ERPS IN THE PRESENCE OF OFFICER FIGUEROA. OFFICER FIGUEROA AT THIS TIME INFORMED OFFICER # 12333238 AS OFFICER FIGUEROA'S ON 05 JUNE 11 IS A GLOCK MODEL 19 9MM SEMI-AUTO PISTOL WITH SERIAL # LCG704. OFFICER FIGUEROA STATES THAT HER WEAPON WAS A GLOCK MODEL 19 SEMI-AUTO PISTOL WITH A SERIAL #PYY302. THE UNDERSIGNED THEN COMPLETED AN UNSUCCESSFUL COMPUTER QUERY VIA ETRACK IN AN ATTEMPT TO LOCATE OFFICER FIGUEROA'S WEAPON. THE UNDERSIGNED ALSO DETERMINED THAT THE WEAPON ON HAND (SERIAL #LCG704) WAS UNREGISTERED. IT WAS ALSO VERIFIED AT THIS TIME THAT OFFICER FIGUEROA DOES HAVE A GLOCK MODEL 19 SERIAL PYY302 REGISTERED TO HER.

PERSONNEL	Star No	Emp No	Name	User	Date	Unit	Beat
	Reporting Officer	9967	ZARAGOZA, Martha, G		30 Sep 2011 12:43	167	5874

IUCR ASSOCS	Victim	IUCR	Crime	Offender
	FIGUEROA	0810	Theft - Over \$500	UNK

Miller 13 C 3225

Exhibit F

FCRL 001244

SEP-30-2011 12:47 From:13127467247

Page:3/7

FIREARMS RECEIPT & WORKSHEET
CRIME LABORATORY DIVISION/CHICAGO POLICE

CASE NAME PO J. FIGUEROA # 15428		BEAT 1211	I-UCR CODE 0453	INCIDENT TYPE RD	INCIDENT NO. HT331501
INVENTORY NO. 12333238	UNIT 177	UNIT DESCRIPTION FORENSIC SERVICES SECTION		DATE OF RECOVERY 05-JUN-11	DATE INVENTORY APPROVED 05-JUN-11
TYPE PISTOL		SUBTYPE SEMI-AUTOMATIC			
MAKE GLOCK, INC.--AU--		MODEL 19			
MODEL NO.		IMPORTER			
SERIAL NO. LCG704	OBLITERATED? NO		LOCATION FRAME		
OTHER NO.	OBLITERATED? NO		LOCATION		
CALIBER / CLASS 9MM / ??	CAPACITY 15 + 1	BARREL LENGTH 4"		FINISH BLACK	
RECOVERY DESCRIPTION GLOCK, MODEL 19, 9MM, SEMI-AUTO PISTOL, 4 IN. BARREL, BLACK/BLACK POLYMER.					
RECEIVED FROM NIEWDACH, ZBIGNIEW		STAR NO. 17629	UNIT NO. 177	UNIT DESCRIPTION FORENSIC SERVICES SECTION	
RECEIVED METHOD Dept.Mail		RECEIVED FROM LOCATION Other			
OTHER EVIDENCE one magazine nine 9mm CAL CARTRIDGES					

HAMMER

CONDITION OF BORE

SAFETY DEVICES	FUNCTION?	NO. TESTS 0	SENT TO STATE POLICE? NO
OPERATING CONDITION			

REMARKS
POLICE INVOLVED SHOOTING
PO'S WEAPON
R/O DID NOT HANDLE NOR EXAMINE THE PISTOL.
THE INFORMATION WAS OBTAINED FROM THE INVENTORY SHEET.

EXHIBITS TURNED OVER TO OTHER	STAR NO.	DATE
DATA PREPARED BY ALONSO, ARMANDO	STAR NO. 6571	DATE 16-JUN-11

Incident Number
R
D
H
T
3
3
1
5
0
1

Miller 13 C 3225

Exhibit G

FCRL 001241

Crime Scene Report 162683 Printed by PC0Q395 on 06-JUN-2011 01:39

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C11-25394
ACP

CLOSE UP

DIGITAL

FRAME TO 2003 FORD ESCAPE.

Involved Vehicles

Color	Description	License No.	State	Make	Model	Vin No.	Year
YELLOW		L284556	IL	FORD	ESCAPE XLS	1FMYU02123KA09090	2003

Comment VEHICLE HAS DRIVER SIDE DAMAGE, TO BE TOWED FOR INVESTIGATION.

Narrative

R/PFI WAS ASSIGNED TO A POLICE INVOLVED SHOOTING AT 2050 W. MONROE ST. UPON ARRIVAL, R/PFI LEARNED FROM BT. 5414 DET. FIEDLER #20532 & ANDRAS #21277 THAT BT. 1206J, P.O.'S FOSTER #10790 & FIGUEROA #15428 RESPONDED TO A HOME INVASION AT 2050 W. MONROE ST. OFFENDER GOT INTO A YELLOW FORD ESCAPE IL LIC# L284556 AND WAS SHOT AFTER HE USED HIS VEHICLE TO INJURE P.O. FOSTER # 10790. PRIOR TO R/PFI ARRIVAL, CFD TRANSPORTED OFFENDER TO "STROGER" HOSPITAL, AND P.O.'S FOSTER & FIGUEROA WHERE TAKEN TO "RUSH -PRES-ST. LUKES" HOSPITAL.

THE SCENE WAS VIDEO-TAPED, PHOTOGRAPHED, AND SEARCHED FOR PHYSICAL EVIDENCE WITH RESULTS LISTED IN INVENTORY SECTION OF THIS REPORT.

R/PFI RECEIVED P.O. FOSTER'S HANDGUN AND P.O. FIGUEROA'S HANDGUN FROM SGT. ZABER #914 AT SCENE. THE HANDGUNS WERE UNLOADED IN PRESENCE OF OCIC ALEXANDER CAR 45. R/PFI SWABBED P/O'S WEAPONS FOR DNA.

OFFENDER'S VEHICLE WAS DNA SWABBED AND DUSTED FOR RIDGE IMPRESSIONS WITH RESULTS LISTED ABOVE. PER REQUEST OF ASSIGNED DET'S, THE KITCHEN WINDOW AND REAR BASEMENT DOOR OF RESIDENCE AT 2050 W. MONROE ST. WERE DUSTED FOR RIDGE IMPRESSIONS WITH NEGATIVE RESULTS. R/PFI WAS ASSISTED IN SCENE PROCESSING AND PHOTOGRAPHS BY BT. 5846, E.T. MARCONI #16570.

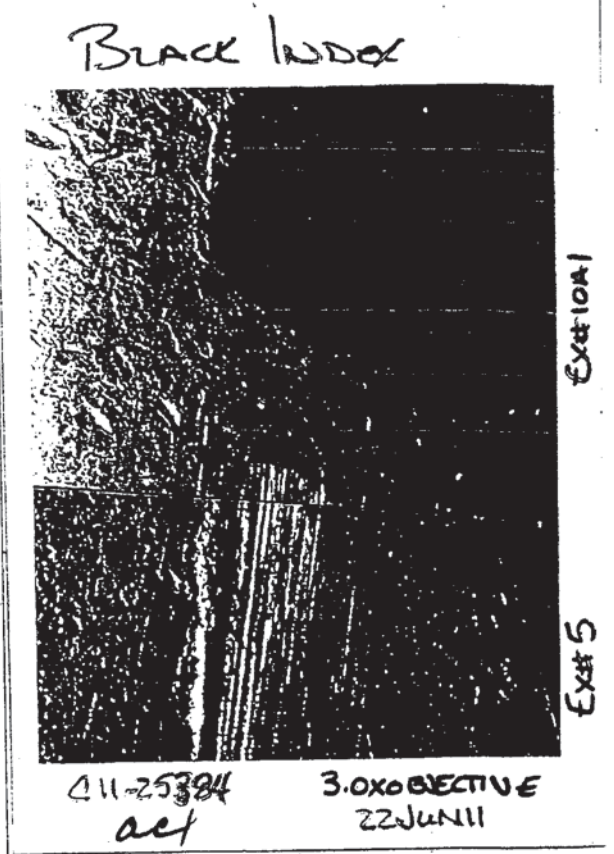
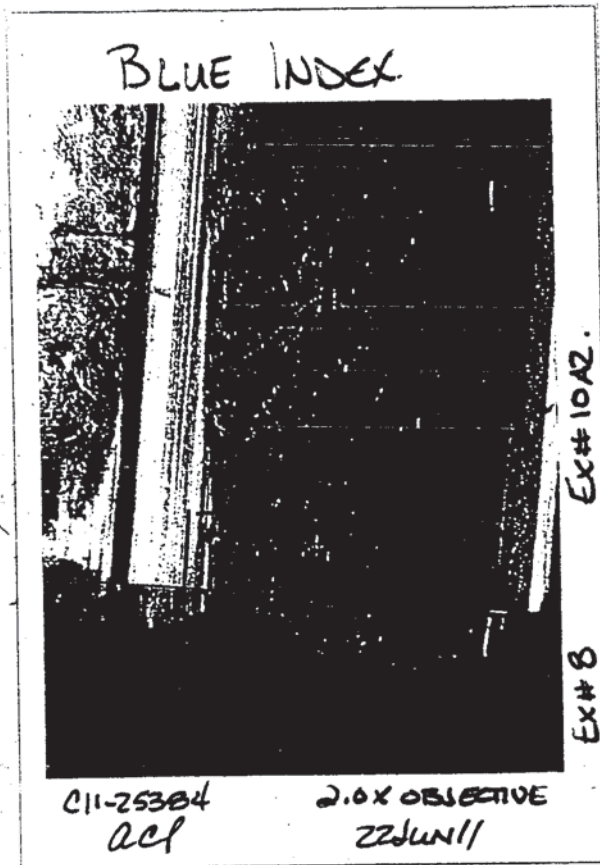
THE SCENE WAS DIAGRAMMED AND SCANNED VIA LEICA BY BT. 5808, PFI'S KEELER #3729 & JASTER #20674.

R/PFI RELOCATED TO "STROGER" HOSPITAL WHERE OFFENDER'S CLOTHING WAS RECEIVED FROM DET. FORD #20615. R/PFI FURTHER LEARNED THAT OFFENDER WAS IN CRITICAL CONDITION WITH GUN SHOT WOUNDS TO RIGHT ARM AND RIGHT CHEST.

Submitted by NIEWDACH ZBIGNIEW M Star No 17629 on 06-JUN-2011 01:36

Approved by FOGARTY LINDA M Star No 1060 on 06-JUN-2011 01:39

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ACTICAL RESPONSE REPORT/Chicago Police Department

1 DATE OF INCIDENT 05-JUN-2011		TIME 06:55:00		2 ADDRESS OF OCCURRENCE 2050 W MONROE ST CHICAGO, IL 60612		3 LOCATION CODE 092		4 BEAT/SECTOR 1211	
5 POSITION 9161		6 LAST NAME FIGUEROA		7 FIRST NAME JENELYN		8 STAR NO 15428		9 SEX 01 M	
10 RACE CODE S		11 AGE 505		12 HT 129		13 WT 129			
14 DATE OF APPT 13-SEP-1999		15 EMPLOYEE NO 39215		16 UNIT & BEAT OF ASSIGNMENT 012 1206J		17 DUTY STATUS 01 On		18 MEMBER INJURED? 01 Yes	
19 MEMBER IN UNIFORM? 01 Yes		20 LAST NAME MILLER		21 FIRST NAME AARON		22 MI 01 M		23 SEX 02 F	
24 RACE BLK		25 DOB 17-DEC-1976		26 HT 504		27 WT 200			
28 ADDRESS 11815 SANGAMON ST CHICAGO, IL		29 TELEPHONE NO		30 WAS SUBJECT ARMED/VERBAL THREAT (ASSAULT)? 01 Yes		31 SUBJECT INJURED? 01 Yes		32 SUBJECT ALLEGED INJURY? 01 Yes	
33 WHERE WAS MEDICAL TREATMENT OBTAINED? COOK COUNTY HOSPITAL - STROGER HOS		34 BY WHOM? DR. DREW		35 CONDITION 01 Apparently Normal		36 Not hospitalized		37 Refused Medical Aid	
38 CHARGES PLACED		39		40		41		42	
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FCRL 000373

CHICAGO POLICE DEPARTMENT Major Incident Notification Detail <small>CPD - 11.805 (10/04) - C</small>		CONFIDENTIAL	Area: 4 Reporting Unit: 640 Incident No: 55971 Deployment Level: UNK
Time Period	Crime/Incident RD Number Dist of Occurrence	Summary	
		Manner/Motive: OFFENDER USED VEHICLE AS A WEAPON / EVADE ARREST Involved Personnel: Notification Made By SEDLACEK, Paul M Emp #: 26050 Star #: 2140 Agency: Chicago Police Dept Detective Assigned ANDRAS, Gregory A Emp #: 51247 Star #: 21277 Agency: Chicago Police Dept Detective Assigned FIEDLER, William G Emp #: 42606 Star #: 20532 Agency: Chicago Police Dept	

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Miller 13 C 3225

FCRL 000374

CHICAGO POLICE DEPARTMENT
Major Incident Notification Detail
CPD - 11.805 (10/04) - C

CONFID
ENTIAL

Area: 4
Reporting Unit: 640
Incident No: 55971
Deployment Level: UNK

Time Period	Crime/Incident RD Number Dist of Occurrence	Summary
		<p>Narrative:</p> <p>Area Four Initial Notification: While attempting to affect an arrest for home invasion and domestic battery, the offender used his vehicle as a deadly weapon and pinned Officer Foster between a wall and the vehicle. The offender then attempted to crash the vehicle into a post with Officer Figueroa inside. In fear for their lives, both officers discharged their weapons. The offender sustained two GSW's to the chest and two GSW to the right arm. The offender was transported to Stroger hospital and is in critical condition.</p> <p>Offender Criminal History:</p> <p>Aaron MILLER IR# 1099343, 18 Total arrests, 5 felonies, 10 misdemeanors, 3 juvenile arrests. 4 convictions &#8211; 1 - DUI and 3 - Possession of Cannabis</p> <p>Weapon Information:</p> <p>Police Officer Foster - Smith and Wesson Model 3953, Ser # BDJ7694, 9mm, Reg # R000294S.</p> <p>Police Officer Figueroa - Glock Model 19, SER # PYY302, 9mm, Reg # R019673S</p>

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Exhibit 212

Miller 13 C 3225

FCRL 000375

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. HT331501

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION		INCIDENT INFORMATION	
NAME (LAST - FIRST - M.I.) FIGUEROA, JENELYN		<input type="checkbox"/> 1. INDOOR <input checked="" type="checkbox"/> 2. OUTDOOR	
STAR NO. 15428	POSITION POLICE OFFICER	ADDRESS OF OCCURRENCE 2050 W MONROE ST	
DATE OF APPOINTMENT 13-SEP-1999	EMPLOYEE NO. [REDACTED]	CITY <input checked="" type="checkbox"/> CHICAGO	STATE (If outside Chicago)
UNIT OF ASSIGNMENT 012	BEAT/CALL NO. 1206J	LOCATION CODE 092-ALLEY	BEAT OF OCCURRENCE 1211
SEX <input type="checkbox"/> 1. M <input checked="" type="checkbox"/> 2. F	RACE HISPANIC	DATE OF OCCURRENCE 05-JUN-2011	TIME 06:55:00
HEIGHT 505	WEIGHT 128	DAY OF WEEK SUNDAY	
TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED		NO. OF OFFICERS BATTERED <u>2</u>	
<input checked="" type="checkbox"/> 1. ON DUTY <input checked="" type="checkbox"/> A. UNIFORM, PATROL DUTY <input type="checkbox"/> B. UNIFORM, OTHER DUTY Describe _____ <input type="checkbox"/> C. CITIZEN'S DRESS <input type="checkbox"/> D. TACTICAL <input type="checkbox"/> E. B.I.S. UNIT <input type="checkbox"/> F. SPECIAL EMPLOYMENT <input type="checkbox"/> G. OTHER _____ <input type="checkbox"/> 2. OFF DUTY <input type="checkbox"/> 3. SPECIAL EMPLOYMENT <input type="checkbox"/> 4. SECONDARY / OTHER		WERE THERE ASSISTING UNITS ON SCENE? 1. <input checked="" type="checkbox"/> YES 2. <input type="checkbox"/> NO IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS)? <u>2</u>	
WORKING: <input type="checkbox"/> A. ALONE <input checked="" type="checkbox"/> B. WITH ONE PARTNER <input type="checkbox"/> C. WITH MULTIPLE PARTNERS How many? _____ PATROL TYPE: <input checked="" type="checkbox"/> A. SQUAD CAR <input type="checkbox"/> B. FOOT <input type="checkbox"/> C. BICYCLE <input type="checkbox"/> D. APV/MOTORCYCLE <input type="checkbox"/> E. SQUADROL <input type="checkbox"/> F. OTHER _____		MANNER OF ATTACK <input type="checkbox"/> 01. SHOT <input type="checkbox"/> 02. SHOT AT <input type="checkbox"/> 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT) <input type="checkbox"/> 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT) <input checked="" type="checkbox"/> 05. OTHER (INCLUDING VERBAL THREATS)	
TYPE OF ACTIVITY		TYPE OF WEAPON/THREAT	
<input type="checkbox"/> A. AMBUSH - NO WARNING <input type="checkbox"/> B. TRAFFIC STOP/PURSUIT <input type="checkbox"/> C. INVESTIGATING SUSPICIOUS PERSON <input checked="" type="checkbox"/> D. DISTURBANCE - DOMESTIC <input type="checkbox"/> E. DISTURBANCE - MENTAL PATIENT <input type="checkbox"/> F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER <input checked="" type="checkbox"/> G. DISTURBANCE - OTHER <input type="checkbox"/> H. MAN WITH A GUN <input type="checkbox"/> I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____ <input type="checkbox"/> J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify) ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____ <input type="checkbox"/> K. OTHER		(Check all that apply): <input type="checkbox"/> A. FIREARM CALIBER _____ <input type="checkbox"/> 1. REVOLVER <input type="checkbox"/> 2. SEMI-AUTOMATIC <input type="checkbox"/> 3. RIFLE <input type="checkbox"/> 4. SHOTGUN <input type="checkbox"/> B. VEHICLE <input type="checkbox"/> 1. OFFICER STRUCK WITH VEHICLE <input type="checkbox"/> 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE <input type="checkbox"/> C. KNIFE/OTHER CUTTING INSTRUMENT <input type="checkbox"/> I. BLUNT INSTRUMENT <input type="checkbox"/> D. HANDS/FISTS <input type="checkbox"/> E. FEET <input type="checkbox"/> F. MOUTH (SPIT, BITE, ETC.) <input checked="" type="checkbox"/> G. VERBAL THREAT (ASSAULT) <input checked="" type="checkbox"/> H. OTHER (SPECIFY) /REFER TO UNUSUAL CIRCUMSTANCE NARRATIVE	
TYPE OF INJURY TO OFFICER		FIREARM USE INFORMATION (Check all that apply):	
<input type="checkbox"/> A. FATAL <input type="checkbox"/> B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/Internal Injuries) <input type="checkbox"/> C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions) <input checked="" type="checkbox"/> D. NONE APPARENT/NONE		<input type="checkbox"/> A. OFFICER AT GUNPOINT <input type="checkbox"/> B. OFFICER'S OWN WEAPON OBTAINED <input type="checkbox"/> C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON	
LIGHTING CONDITIONS AT INCIDENT		OFFENDER INFORMATION	
<input checked="" type="checkbox"/> A. DAYLIGHT <input type="checkbox"/> D. DUSK <input type="checkbox"/> B. NIGHT <input type="checkbox"/> E. ARTIFICIAL LIGHT <input type="checkbox"/> C. DAWN <input type="checkbox"/> 1. POOR <input type="checkbox"/> 2. GOOD		SEX <input checked="" type="checkbox"/> 1. M <input type="checkbox"/> 2. F RACE BLACK DOB 17-DEC-1976 CB NO. 00000000 IR NO.	
TYPE OF INJURY TO OFFICER		WAS THE OFFENDER'S ACTIVITY: DRUG RELATED?	
<input type="checkbox"/> A. FATAL <input type="checkbox"/> B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/Internal Injuries) <input type="checkbox"/> C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions) <input checked="" type="checkbox"/> D. NONE APPARENT/NONE		<input type="checkbox"/> 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/> 3. UNKNOWN GANG RELATED? <input type="checkbox"/> 1. YES <input checked="" type="checkbox"/> 2. NO <input type="checkbox"/> 3. UNKNOWN	
LIGHTING CONDITIONS AT INCIDENT		WEATHER CONDITIONS	
<input checked="" type="checkbox"/> A. DAYLIGHT <input type="checkbox"/> D. DUSK <input type="checkbox"/> B. NIGHT <input type="checkbox"/> E. ARTIFICIAL LIGHT <input type="checkbox"/> C. DAWN <input type="checkbox"/> 1. POOR <input type="checkbox"/> 2. GOOD		<input checked="" type="checkbox"/> A. CLEAR <input type="checkbox"/> D. FOG/SMOKE/RAIN/OTHER <input type="checkbox"/> B. RAIN <input type="checkbox"/> E. SNOW/ICE <input type="checkbox"/> C. SNOW <input type="checkbox"/> F. SEVERE CROSS WIND APPROXIMATE OUTDOOR TEMPERATURE: 70°F	

CPD-11.451 (REV. 1/04)

Attachment # 8

Miller 13 C 3225

EXHIBIT 10 JB

FCRL 000723

PROPERTY INVENTORY - NO. CHICAGO POLICE DEPARTMENT CPD 34 523 (REV. 10/09)		INV NO 12333238		PKG NO. 2661048	RE-INVENTORY OF:	UNIT 177
DATE RECEIVED 05-JUN-2011		RD HT331501				
ITEM ID	QUANTITY	DESCRIPTION OF PROPERTY				
4944331	1	FIREARM: GLOCK, MODEL 19, 9MM, SEMI-AUTO PISTOL, 4 IN. BARREL, BLACK/BLACK POLYMER, SN: LC0704				
4944332	1	BULLET / AMMO / MA: BLACK 15-ROUND MAGAZINE FROM ABOVE HANDGUN				
4944333	9	BULLET / AMMO / MA: "WIN" 9MM LUPER +P CARTRIDGES (1-IN CHAMBER, 8-IN MAGAZINE)				
<p align="center">POLICE OFFICERS</p> <p align="center">WEAPON</p>						
COMMENTS: AGGRAVATED BATTERY, VICTIMS: P.O. GRACE FOSTER #10790 / P.O. JENELYN FIGUEROA #15428 HANDGUN CHECKS CLEAR. REGISTERED TO P.O. FIGUEROA #15428 PER PH. DECOOK #5300 VIA COMPUTER CHECK.						
COURT ORDER - DISPOSAL INSTRUCTIONS				MY SIGNATURE HEREON ACKNOWLEDGES RECEIVING ALL PROPERTY DESCRIBED IN THIS INVENTORY RECIPIENT'S SIGNATURE ADDRESS - STREET CITY STATE ZIP DATE RECEIVED OFFICER'S SIGNATURE - STAR - UNIT WATCH COMMANDER'S APPROVAL SIGNATURE (EXEMPT RANK REQUIRED FOR FIREARMS) COURT ORDER - DISPOSAL INSTRUCTIONS		
EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY						
I/CPR STATE CHARGES 0453 BATTERY AGGRAVATED PO: OTHER DANG WEAP		CHARGE TYPE: INCHARGE		BEAT OF RECOVERY 1211		
RECOVERED/SEIZED FROM - NAME ZABER, NICHOLAS		AT 24 S SEELEY AVE CHICAGO, IL 60612		TELEPHONE NO.		
DECASED <input type="checkbox"/> ARRESTED <input type="checkbox"/>		FIGUEROA, JENELYN Star: 15428		TELEPHONE NO.		
FOUND BY - NAME CHECK IF C.P.D.		ADDRESS ADDRESS		STAR NO. 20532 UNIT 640		
HOLD FOR INVESTIGATION AND/OR EVIDENCE (IF NOT NEEDED FOR INVESTIGATION/EVIDENCE, LEAVE BLANK)		INVESTIGATING OFFICER - FIEDLER, WILLIAM		STAR NO. 17629 UNIT 177		
PROPERTY AVAILABLE FOR RETURN TO OWNER		SIGNATURE Electronic Approval		UNIT 177		
TO BE DISPOSED OF BY CUSTODIAN (NOT TO BE RETURNED) (THIS APPLIES IF PROPERTY IS NOT EVIDENCE, NOT RETURNABLE AND/OR OWNER IS UNKNOWN)		2ND OFFICER'S NAME MARCONI, ANGELO		STAR NO. 16570 UNIT 377		
INITIAL DESTINATION OF PROPERTY: FORENSIC SERVICES SECTION		SIGNATURE Electronic Approval		DATE 05-JUN-2011 TIME 20:03		
VIA <input type="checkbox"/> POLICE MAIL <input checked="" type="checkbox"/> RECOVERING UNIT PERSONNEL <input type="checkbox"/> E & R'S PICKUP <input type="checkbox"/> EVIDENCE TECHNICIAN		APPROVING DESK SERGEANT BOLAND, ROY		STAR NO. 11788		

Created by: P000385

CARV 4 VECB WITH PROPERTY

Exhibit K

Miller 13 C 3225

FCRL 000232

011-25384 6413 204
FIREARMS RECEIPT & WORKSHEET
 CRIME LABORATORY DIVISION/CHICAGO POLICE

CASE NAME PO J. FIGUEROA # 15428		BEAT 1211	I-UCR CODE 0453	INCIDENT TYPE RD	INCIDENT NO. HT331501
INVENTORY NO. 12333238	UNIT 177	UNIT DESCRIPTION FORENSIC SERVICES SECTION		DATE OF RECOVERY 05-JUN-11	DATE INVENTORY APPROVED 05-JUN-11
TYPE PISTOL		SUBTYPE SEMI-AUTOMATIC			
MAKE GLOCK, INC.--AU--		MODEL 19			
MODEL NO.		IMPORTER			
SERIAL NO. LCG704	OBLITERATED? NO		LOCATION FRAME		
OTHER NO.	OBLITERATED? NO		LOCATION		
CALIBER / CLASS 9MM / ??	CAPACITY 15 + 1	BARREL LENGTH 4"		FINISH BLACK	
RECOVERY DESCRIPTION GLOCK, MODEL 19, 9MM, SEMI-AUTO PISTOL, 4 IN. BARREL, BLACK/BLACK POLYMER.					
RECEIVED FROM NIEWDACH, ZBIGNIEW		STAR NO. 17629	UNIT NO. 177	UNIT DESCRIPTION FORENSIC SERVICES SECTION	
RECEIVED METHOD Dept. Mail			RECEIVED FROM LOCATION Other		
OTHER EVIDENCE one magazine nine 9mm CAL CARTRIDGES					

HAMMER

CONDITION OF BORE

SAFETY DEVICES	FUNCTION?	NO. TESTS 0	SENT TO STATE POLICE? NO
OPERATING CONDITION			

REMARKS
 POLICE INVOLVED SHOOTING
 PO'S WEAPON
 R/O DID NOT HANDLE NOR EXAMINE THE PISTOL.
 THE INFORMATION WAS OBTAINED FROM THE INVENTORY SHEET.

Incident Number
 R
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 1

EXHIBITS TURNED OVER TO OTHER	STAR NO.	DATE
DATA PREPARED BY ALONSO, ARMANDO	STAR NO. 6571	DATE 16-JUN-11

CPD-33.400 (REV. 8/88) AUTOMATED Thursday June 16 2011 7:48 AM

Miller 13 C 3225

FCRL 000233

SWORN AFFIDAVIT

Location of Incident: <u>2050 West Monroe</u>	Date: <u>05 June 2011</u>	Time: <u>0654</u>
--	------------------------------	----------------------

Summary of Statement(s):

recorded statement is attached

I, Londra A Dumag hereby state as follows: I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement. I swear and affirm, under penalties provided by law, that the information contained in the above summary and/or attached statement is true and accurate.

Lea Dumag
(Signature of person making statement)

Lea Dumag
(Print name)
10/6/11
(Date)



State of Illinois
County of Cook

[Signature]
(Notary Public)

(Deputy Clerk)

Signed and sworn before me on this

06 day of October 2011

(Print name)

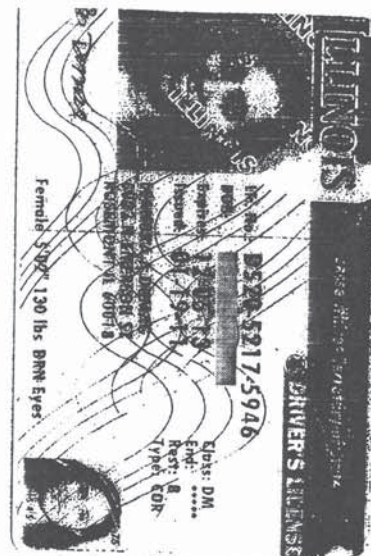
(Date)

Attachment No. 107

Complaint Log No. 1045896/U#11-28

Created 4-5-11

Exhibit 11



FCRL 001046

Crime Scene Report 162683 Printed by PC0Q395 on 06-JUN-2011 01:39

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C11-25384 acf

12333235 4944329 1	BULLET / AMMO / MAGAZINE	8 - ROUND STAINLESS STEEL MAGAZINE FROM ABOVE HANDGUN.
12333235 4944330 7	BULLET / AMMO / MAGAZINE	"WIN" 9MM LUGER + P CARTRIDGES (1-IN CHAMBER, 6 IN MAGAZINE)
12333238 4944331 1	FIREARM	GLOCK, MODEL 19, 9MM, SEMI-AUTO PISTOL, 4 IN. BARREL, BLACK/BLACK POLYMER.
12333238 4944332 1	BULLET / AMMO / MAGAZINE	BLACK 15-ROUND MAGAZINE FROM ABOVE HANDGUN.
12333238 4944333 9	BULLET / AMMO / MAGAZINE	"WIN" 9MM LUGER + P CARTRIDGES (1-IN CHAMBER, 8-IN MAGAZINE)
12333246 4944344 1	CELL PHONE / PAGER	KYOCERA CRICKET BLACK CELL PHONE--NO BACK PORTION
12333252 4944350 1	CLOTHING / FUR	PAIR OF BLACK, WHITE, GRAY "HAVANA JOE" SIZE 8-8 1/2
12333252 4944351 1	CLOTHING / FUR	PANTS "PARISH" BLUE JEANS SIZE 34
12333252 4944352 1	CLOTHING / FUR	UNDERWEAR BLUE PLAID BOXERS W/BLOOD (NO SIZE)
12333252 4944353 2	CLOTHING / FUR	SOCKS (2 WHITE)
12333252 4944354 1	CLOTHING / FUR	WHITE TEE SHIRT W/BLOOD & CUT
12333252 4944355 1	OTHER	JOLIET "METRA" SCHEDULE
12333254 4944359 1	BIOLOGICAL	SWAB BOX CONT. 2 SWABS (1-WET & 1-DRY) FROM GRIPS, SLIDE PULL, MAGAZINE RELEASE FROM "S & W" HANDGUN INV# 12333235.
12333256 4944363 1	BIOLOGICAL	BIOLOGICAL SWAB BOX CONTAINING TWO BIOLOGICAL SWABS ONE WET/ONE DRY
12333257 4944364 1	BIOLOGICAL	SWAB BOX CONT. 2 SWABS (1-WET & 1-DRY) FROM GRIPS, SLIDE PULL, MAG. RELEASE FROM GLOCK HANDGUN INV # 12333238.
12333260 4944367 1	BIOLOGICAL	BIOLOGICAL SWAB COLLECTION BOX CONTAINING TWO BIOLOGICAL SWABS (ONE WET/ONE DRY)
12333307 4945054 1	OTHER	SEALED VEHICLE PAINT COLLECTION KIT-FROM FORD ESCAPE IL. LIC# L284556.
12333315 4945127 3	OTHER	USED SURGICAL BLADES IN PACKAGING-FROM VEHICLE PAINT COLLECTION KIT (MARKED "BRICK BLDG"- "UTILITY POLE" & "KNOWN VEH"

Firearms

Inventory No.	Gun Type	Description	Serial No.	Officer's Weapon	Comments
12333235	HANDGUN	SMITH & WESSON, MODEL 3953, 9MM SEMI-AUTO PISTOL, 3 1/2 IN. BARREL, S/S FINISH.	BDJ7694	Yes	CLEAR & REGISTERED PER GUN DESK P/O BROOKS #12284
12333238	HANDGUN	GLOCK, MODEL 19, 9MM, SEMI-AUTO PISTOL, 4 IN. BARREL, BLACK/BLACK POLYMER.	LCG704	Yes	CLEAR & REGISTERED PER PFI N. DE COOK #5300

Crime Scene Photos

Crime Scene Video Exists YES

Photo Type	Media Type	Scale Used	Photo Description
OVERALL	DIGITAL		VIEWS FRONT OF 2050 W. MONROE ST.
OVERALL	DIGITAL		VIEWS EAST SIDE OF BUILDING AND WALKWAY AT 2050 W. MONROE ST.

http://chris.chicagopolice.org/pls/clear/f?p=10690:300:3127316415084489::NO:300:P300_

6/6/2011

Miller 13 C 3225

Exhibit 42
Exhibit 4

FCRL 000236

Crime Scene Report 162683 Printed by PC0Q395 on 06-JUN-2011 01:39

Page 4 of 5

C11-25384
ref

OVERALL	DIGITAL	VIEWS EAST SIDE OF BASEMENT ENTRY DOOR AT 2050 W. MONROE ST.
OVERALL	DIGITAL	VIEWS REAR BASEMENT DOOR NORTH SIDE OF BUILDING AT 2050 W. MONROE ST.
OVERALL	DIGITAL	VIEWS OF REAR OF BUILDING AT 2050 W. MONROE ST.
BOTH (OVERALL/CLOSE UP)	DIGITAL	VIEWS OF WOOD STAIRS AND KITCHEN WINDOW AT REAR OF 2050 W. MONROE ST.
OVERALL	DIGITAL	VIEWS OF REAR GATE AND ALLEY AT 2050 W. MONROE ST.
OVERALL	DIGITAL	VIEWS EAST IN ALLEY FROM 2050 W. MONROE ST.
BOTH (OVERALL/CLOSE UP)	DIGITAL	VIEWS OF DAMAGE AND YELLOW PAINT/MARKS SOUTHWEST CORNER OF BRICK BUILDING AT 28 S. SEELEY AVE.
OVERALL	DIGITAL	VIEWS FRONT OF BUILDING AT 28 S. SEELEY AVE.
OVERALL	DIGITAL	VIEWS SOUTH FROM 28 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	EXT. & INT.VIEWS OF 2003 FORD ESCAPE AT APPROX. 29 S. SEELEY AVE.
OVERALL	DIGITAL	VIEWS NORTH FROM 29 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	VIEWS OF CARTRIDGE CASES (MARKERS # 1 #2,) ON STREET PAVEMENT AT APPROX. 28 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	FIRE BULLET (MARKER # 3) AT APPROX. 28 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	CARTRIDGE CASE (MARKER #4), FROM DRIVER SEAT TO 2003 FORD ESCAPE AT 29 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	CARTRIDGE CASE (MARKER #5), FROM FRONT PASS.FLOOR OF 2003 FORD ESCAPE AT 29 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	BLACK MIRROR/ HOUSING (MARKER #6) ON GROUND IN ALLEY AT APPROX. 2034 W. MONROE ST.
BOTH (OVERALL/CLOSE UP)	DIGITAL	WHEELCOVER (MARKER #7) ON GROUND IN ALLEY AT APPROX. 2034 W. MONROE ST.
BOTH (OVERALL/CLOSE UP)	DIGITAL	YELLOW PAINT/ MARKS ON WOOD UTILITY POLE NEAR SOUTHEAST CORNER OF BUILDING AT 28 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	FIRE BULLET (MARKER #8), FROM SIDEWALK PAVEMENT AT 30 S. SEELEY AVE.
OVERALL	DIGITAL	BLOOD ON STREET PAVEMENT AT APPROX. 29 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	VIEWS OF FRONT OF BUILDING WITH ADDRESS AT 2128 W.MONROE ST.
BOTH (OVERALL/CLOSE UP)	DIGITAL	VIEWS OF WOMEN'S SANDALS ON SIDEWALK IN FRONT OF 2128 W. MONROE ST.
OVERALL	DIGITAL	VIEWS NORTH FROM SIDEWALK AT LOCATION OF WHITE PLASTIC CHAIRS AT APPROX. 103 S. SEELEY AVE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	CARTRIDGE CASE (MARKER #9), ON REAR DRIVER SIDE FLOOR OF 2003 FORD ESCAPE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	WATER BOTTLE (MARKER #10), ON FRONT PASS. FLOOR AREA OF 2003 FORD ESCAPE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	RED BASEBALL CAP (MARKER #11) ON FRONT PASS FLOOR AREA OF 2003 FORD ESCAPE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	SUNGLASSES (MARKER #12) ON FRONT PASS. FLOOR AREA OF 2003 FORD ESCAPE.
BOTH (OVERALL/CLOSE UP)	DIGITAL	MISC. PAPERWORK (MARKER #13), ON FRONT PASS. FLOOR OF 2003 FORD ESCAPE.
CLOSE UP	DIGITAL	RIDGE IMPRESSIONS "A" & "B" FROM FRONT PASS DOOR WINDOW FRAME OF 2003 FORD ESCAPE.
		RIDGE IMPRESSION "C" FROM DRIVER DOOR WINDOW

Page 21



ILLINOIS STATE POLICE
Division of Forensic Services
Forensic Sciences Command
Forensic Science Center at Chicago

Case #: C11-25384

Initials: acp Page #: 5

Date: 06/22/11

FIREARM WORKSHEET

Revision Date (10/04)

EX#: 13 (fa) + 14 (mag) + 15 (9 uc)

RECEIVED FROM: Firearms Vault

OTHER AGENCY #S: RD# HT331501 INV# 12333238

RECEIVED ON: 06/21/11

DESCRIPTION OF PACKAGE: (S) plastic bag → (S) white box → fa + [taped manila coin env → mag] + [taped manila coin env → 9 uc]

BRAND: Glock

MODEL: 19

IMPORTER/ORIGIN: Glock, Inc. Smyrna, GA / Austria

FINISH: black polymer rec/ black steel sl

SERIAL #: LCG704

(REC BUTT FR BBL SL) CYL C/Y metal plate under muzzle/R side

CAL GA: 9x19 (9 mm Luger)

RIFLING: 6R polygonal

BBL LENGTH: ~ 4"

OAL: acp

CONDITION OF BORE: unremarkable

RESIDUE: light fouling

CHAMBERS: acp FLARES: acp MAG/CAP: Ex #14: staggered stack db/15 + 1 √ FF

TYPE/ACTION:

☐ REVOLVER☒ PISTOL☐ RIFLE☐ S.G.☐ DERR☐ AIR☐ PIN TYPE☒ SEMI AUTO☐ LEVER☐ SINGLE SHOT☐ BREAK OPEN☐ FULL AUTO☐ PUMP☐ CHOKE☐ SWING OUT☐ BLOW BACK☐ BOLT

ROTATION L R

☒ RECOIL☐ O/U☐ OTHER☐ GAS☐ SXS

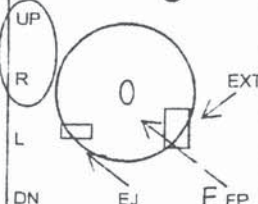
FIRING MECHANICS:

☐ HAMMER☒ HMRLS striker☐ SINGLE ACTION

Glock "Safe Action"

☒ DOUBLE ACTION

EJ PORT/BF: G



SAFETIES:

FUNCTIONAL:

☒ YES ☐ NO ☐ NONE☐ GRIP☒ FIRING PIN BLOCK☐ MAGAZINE☐ TRANSFER BAR☐ NOTCH☐ HAMMER BLOCK☐ REBOUND☐ THUMB☒ OTHER trigger safety/drop safety (not tested)

CARTRIDGES SUBMITTED: Ex #15: (9 uc)



- (9) Winchester 9 mm Luger +P uc
- N case
- B primer
- Bonded JHP JC bullet

- No unusual characteristics

REMARKS:

Unless otherwise noted, images present do not reflect actual evidence but are merely demonstrative.

- slide must be actuated in order to discharge fa
- unable to measure LIMPS/GIMPS due to a lack of defined shoulders

TEST SHOTS: ☒ LAB AMMO ☐ DEV. AMMO 13A1 & 13A2: WIN 9 mm Luger +P: N case, B primer, 124 gr. bonded JHP JC bullet☒ OPERABLE ☐ INOPERABLE As ReceivedTRG PULL: SA acp DA ~ 5 - 5.5#

L. Imp.: See Remarks G. Imp.: See Remarks IBIS: No per policy, PO firearm

LAB MARK: DICE: packaging only

REPACKAGING: Original

APR: acp END DATE: 06/22/11

Miller 13 C 3225

Exhibit "O"

FCRL 000221



ILLINOIS STATE POLICE
Division of Forensic Services
Forensic Sciences Command
Forensic Science Center at Chicago

Case #: C11-25384

Initials: acp Page #: 4

Date: 06/22/11

Revision Date (10/04)

FIREARM WORKSHEET

EX#: 10 (fa) + 11 (mag) + 12 (7 uc) RECEIVED FROM: Firearms Vault

OTHER AGENCY #S: RD# HT331501 INV# 12333235 RECEIVED ON: 06/21/11

DESCRIPTION OF PACKAGE: ⑤ plastic bag → ⑤ white box → fa + [taped manila coin env → mag] + [taped manila coin env → 7 uc]

BRAND: Smith & Wesson MODEL: 3953
 IMPORTER/ORIGIN: Springfield, MA USA FINISH: silver alloy rec/matte stainless sl
 SERIAL #: BDJ7694 (REC BUTT FR BBL SL CYL C/Y L side)
 CAL/GA: 9 mm Luger RIFLING: 5R BBL LENGTH: ~ 3.5" OAL: acp
 CONDITION OF BORE: unremarkable RESIDUE: light fouling
 CHAMBERS: acp FLARES: acp MAG/CAP: Ex #11: single stack db/8 + 1 √ FF

TYPE/ACTION:				FIRING MECHANICS:		EJ PORT/BF: G/P	
<input type="checkbox"/> REVOLVER	<input checked="" type="checkbox"/> PISTOL	<input type="checkbox"/> RIFLE	<input type="checkbox"/> S.G.	<input type="checkbox"/> DERR	<input type="checkbox"/> AIR		
<input type="checkbox"/> PIN TYPE	<input checked="" type="checkbox"/> SEMI AUTO	<input type="checkbox"/> LEVER	<input type="checkbox"/> SINGLE SHOT		<input checked="" type="checkbox"/> HAMMER bobbed		
<input type="checkbox"/> BREAK OPEN	<input type="checkbox"/> FULL AUTO	<input type="checkbox"/> PUMP	<input type="checkbox"/> CHOKE		<input type="checkbox"/> HMMRLS		
<input type="checkbox"/> SWING OUT	<input type="checkbox"/> BLOW BACK	<input type="checkbox"/> BOLT	<input type="checkbox"/> SINGLE ACTION		<input type="checkbox"/> DOUBLE ACTION ONLY		
ROTATION L R	<input checked="" type="checkbox"/> RECOIL	<input type="checkbox"/> O/U	<input type="checkbox"/> OTHER				
<input type="checkbox"/> GAS	<input type="checkbox"/> SXS						

SAFETIES:		FUNCTIONAL:		CARTRIDGES SUBMITTED: Ex #12 (7 uc)	
<input type="checkbox"/> GRIP	<input checked="" type="checkbox"/> FIRING PIN BLOCK	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NONE	<ul style="list-style-type: none"> - (7) Winchester 9 mm Luger +P uc - N case - B primer - Bonded JHP JC bullet - No unusual characteristics
<input checked="" type="checkbox"/> MAGAZINE	<input type="checkbox"/> TRANSFER BAR				
<input type="checkbox"/> NOTCH	<input type="checkbox"/> HAMMER BLOCK				
<input type="checkbox"/> REBOUND	<input type="checkbox"/> THUMB				
<input type="checkbox"/> OTHER					

REMARKS: Unless otherwise noted, images present do not reflect actual evidence but are merely demonstrative.

- slide must be actuated in order to discharge fa

TEST SHOTS: LAB AMMO DEV. AMMO 10A1 & 10A2: WIN 9 mm Luger +P: N case, B primer, 124 gr. bonded JHP JC bullet

☒ OPERABLE ☐ INOPERABLE As Received TRG PULL: SA acp DA ~ 9 - 9.5#

L. Imp.: ~ .095 - .096" G. Imp.: ~ .117 - .118" IBIS: No per policy, PO firearm

LAB MARK: DICE: packaging only

REPACKAGING: Original

APR: acp END DATE: 06/23/11



Exhibit P

FCRL 001120



144

~~SECRET~~



0876-977

Miller 13 C 3225

 Chicago Police Department		General Order G03-02-02	
FORCE OPTIONS			
			
ISSUE DATE:	23 September 2002	EFFECTIVE DATE:	01 October 2002
RESCINDS:	G02-08-02		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive explains the various levels of force options in the Use of Force Model that are appropriate for Department members' use when interacting with cooperative subjects, resistive subjects ("resisters"), and assailants.

II. POLICY

- A. Members will maintain a courteous and professional demeanor when dealing with the public.
- B. Before taking any police action, sworn members will identify themselves as police officers unless identification would jeopardize the safety of the member or others or compromise the integrity of an investigation.
- C. Members will select the appropriate level of force option based on a subject's actions and modify their selection of options as the subject offers less or greater resistance.

III. LEVEL OF FORCE RESPONSE OPTIONS GUIDELINES

- A. Cooperative Subject: a person who is compliant without the need for physical force. The following response options are appropriate when dealing with a cooperative subject:
 1. Social Control/Police Presence
 - a. Social control/police presence is established through identification of authority and proximity to the subject. Police presence may result in conforming behavior.
 - b. Social control/police presence, used alone, is the only force option which is appropriate for use with subjects who are cooperative without the need for direction from law enforcement personnel.
 2. Verbal Control
 - a. Verbal control consists of persuasion, advice, and warning. It includes instruction or direction from a member in the form of verbal statements or commands. Verbal control may result in conforming behavior.
 - b. Whenever practical, members will attempt to de-escalate confrontations by utilizing verbal control techniques prior to, during, and after the use of physical force.
- B. Resister: a person who is uncooperative. Resisters are further subdivided into two categories:
 1. Passive Resister: a person who fails to comply (non-movement) with verbal or other direction. In addition to the response options listed in Item III-A, the following response options are appropriate when dealing with a passive resister:
 - a. Holding Techniques

Holding consists of techniques such as a firm grip, grabbing an arm, wristlocks, and come-along holds (i.e., escort holds that are not elevated to pain compliance techniques), as well as any combination of the above. Holding may result in conforming behavior.

TUESDAY, NOVEMBER 8, 2011 | CHICAGO SUN-TIMES | 19



STELLA'S COLUMN

WITH STELLA FOSTER stfoster@suntimes.com

Belafonte book

JUST IN: THE AMAZING ICONIC civil rights advocate Harry Belafonte will be in town Tuesday to be interviewed by attorney Brenda Russell at the Union League Club's Authors Group luncheon. Harry will be discussing his new book, *My Song: A Memoir*, published by Random House. In the book's first chapter, Belafonte tells about a chilling call in August 1964 from the "Mississippi Freedom Summer" leaders of the Student Nonviolent Coordinating Committee, who were desperate to raise three or four key members (which was the "Mississippi Burning" was based on) had been killed in June and they needed more financing for voter registration, which was their sole purpose in Mississippi. And as Harry tells it, while he then, he hosted a fund-raising party in Chicago for the committee, he flew to Chicago where his good pal, the late Sun-Times columnist Irv "Kup" Kupperman and wife, hosted another fund-raiser and that raised \$35,000 for the cause. And with that, he shipped funds to Belafonte and his longtime friend, legendary actor Sidney Poitier, delivered the funds to Mississippi by the way. And that was the end of the late civil rights leader Ralph Abernathy.

TO KNOW: This number 1 author just received a wonderful letter from Cook County Clerk David Orr in reference to my recent lifetime achievement award from the Chicago Journalists Association. "The Cook County Journalists Association has long been proud of your accomplishments as a journalist and because you were born and bred in Cook County, we feature you on our 'Sweet Home Cook County' educational website at cookcountysweethome.com, and in our display when we have our exhibits." Wow! I didn't know that, but thanks so much. Also a big thank you to Cook County State's Attorney Mike Alvarez, who also sent a letter that said, "Your dedication to the Chicago scene over the course of your career has been unparalleled... from your work with the late Irv Kup to your ongoing work on 'Stella's Column'."

AN UPDATE: The History Makers fund-raiser "An Evening with Valerie Simpson in Honor of Nick Ashford" is Nov. 19 at Northwestern University's Thorne Auditorium. Besides his lovely wife, Valerie Simpson, being interviewed by PBS TV's Gwen Ifill, singer Patti Austin, Stephanie Mills and Kindred the Family Soul will headline this



Harry Belafonte



Vivica Fox



Irv Kupperman

elegant tribute for tickets: (312) 674-1900.

ANOTHER UPDATE: IN THE Dec. issue of Sister 2 Sister magazine, Tuesday actress Vivica A. Fox and her boyfriend are featured on the cover, and in the interview, Fox talks about her upcoming wedding to the much younger Atlanta promoter Omar "Slimm" White. However, she failed to mention that they were no longer together as a couple. So, ask yourself, why did she say, "We're planning a late fall around the holidays wedding," and when asked about the dress, she said, "It's beautiful. Going to be very romantic. But I'm marrying a Southern gentleman, so we're not trying to come noogie down the aisle. You decide just how straight Fox was in

that Jamie Foster Brown (my sis) interview. Since Tom Braxton and her sisters are also featured. DR. CONRAD MURRAY found guilty of involuntary manslaughter in the death of Michael Jackson.



David Orr

THE 100 CLUB of Chicago's Valor Awards dinner is Wednesday at the Holiday Inn Mart Plaza. Executive director Joe Ahern says honorees include Police Officer Jenevyn Figueroa, Illinois State Trooper Nick Farnesi and Chicago Fire Lt. Andre Rufford.

CHICAGO'S JIM COMPTON, president/CEO of the Chicago Urban League, will receive the Edwin C. Berry Civil Rights award at the league's sold-out Golden Fellowship dinner Saturday at the Hilton Chicago.

ON THE TOWN: WLS radio's Roe Gonn and Rich Roeper dined at Harry Caray's on Kinzie. Hockey greats Tony Esposito and Stan Mikita are at the Palace Grill. Sox GM Ken Williams had drinks at the new III Forks steakhouse. Among the VIPs at Billy Dec's recent b-day party: Juanita Jordan, Zoraida Sambolin, Billy Zane, David Schwimmer and Les Coney.

THE MUSIC SET: The musical Rock of Ages will be rockin' at the Oriental theater starting Tuesday.

THE BIRTHDAY FOLKS: Bonnie Raitt and Morley Safer, Wednesday, Michael N. Horowitz and WGN-CH 9's Micah Materre.

Keep in your notes file. aa.

Miller 13 C 3225

EXHIBIT Q

FCRL 001232

EXHIBIT Q

U# 11-03 / Log #1042470 18A

Donte Gross - Non fatal, gunshot wound to left thumb.

Prepare file to go to SAO

To Do

- ~~1. Obtain Donte Gross Medical Records (Provident Hospital) - 6 Jan 2011~~
- ~~2. e-Track Crime Scene Processing Report ASAP~~
- ~~3. e-Track Inventory List Report ASAP~~
- ~~4. Meet with Sup. Ordower to schedule meeting at ISP AFTER MEETING 1 WEEK~~
- ~~5. Meet with Duffy RE Inventory List & Crime Scene Processing Report~~

E-TRACK
ISP REQUEST
FORM

2-DEFAULT

Work Completed

6. Arrest Report/Mug Shots
7. Case Report
8. Case Supplementary Report
9. Officer Matthews (shooter) TRR
10. Officer Matthews (shooter) Officer's Battery Report
11. PCAD Reports
12. OEMC Tapes/Reports Ordered
13. Canvass
14. Canvass T/F
15. Audio Interview of Witness Celeste Smith
16. Audio Interview of Witness Officer Vega
17. Audio Interview of Shooter Officer Matthews
18. PODs ordered - Per Patrick - follow up
19. Victim Donte Gross Interviewed - Per Patrick - follow up (not in file)
20. Unmarked Police Vehicle: No In/Car Camera - Per Patrick

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Discharge Summary**4. Seizure disorder NOS****Significant History, Physical Examination and Hospital Course:**

34M who arrived around 7:45am with gunshot wounds to the right arm and right chest. He had desaturated in the field and had been hypotensive and a right needle thoracostomy had been performed. On arrival, his primary survey was significant for tachycardia and hypertension. Bilateral breath sounds could be heard. GCS was 13 for inappropriate vocalization. CAGE and abuse were unable to be obtained. While initiating secondary survey, Mr. Miller became increasingly tachycardic and hypertensive. He was intubated. A right sided chest tube was placed with about 200cc of sanguinous output. He then became bradycardic to the 30s and hypotensive. A left femoral cordis was placed and 2L I.R were bolused. His heart rate recovered spontaneously prior to fluid bolusing. His blood pressure responded to the fluids. Blood was called for and began to transfuse. He was brought emergency to the operating room for a damage control laparotomy. Initial injuries included a grade IV liver laceration, 2 duodenal injuries, 2 jejunal injuries, and bleeding from the head of the pancreas.

Hospital Course:

On 6/5/11 he underwent a damage control laparotomy, oversewing of the jejunal and duodenal injuries, packing of the liver with the use of hemostatic agents such as floseal and gel foam, oversewing of areas of bleeding related to the pancreatic head. 14 ligs were left in the abdomen and a Bogota bag was placed. He was then brought in critical condition to the ICU for further resuscitation.

He went back to the OR on 6/7/11 for ex lap, washout, removal of ligs definitive primary repair of the small bowel injuries, repacking of the liver and use of hemostatic agents, placement of an NGT past the duodenal repairs, 3 ligs were left in the belly, a cassette cover was placed, and a wound vac above it

On 6/9 the patient went for washout with 10L NS and takedown of VAC. Duodenal injury was found to be persistent with no obvious diaphragmatic injury. Duodenum was repaired primarily with omental patch. NG DHT was placed. ND tube was placed proximal to the injury. Retrograde duodenal tube placed. Rocky placed. JP placed. Cholangiogram revealed to obvious leakage.

OR for Washout on 6/12, 6/14

OR for Washout and trach 6/16

OR for Washout and left Rocky placement on 6/18

OR for Washout and placement of 2 right Rocky drains (prior Rocky dislodged that AM), and additional Rocky on the left to make 2 left Rockys 6/20

On 6/21, his urine was positive for pseudomonas for which he completed a 7 day course of zosyn. On 6/23, his blood cultures were positive for gram + cocci.

Report Request ID: 11728021

Page 16 of 2,567

Facility: n/a

Location: n/a

CONFIDENTIAL: If the reader of this report is not the intended recipient; or the employee or agent responsible, you are hereby notified that any reading, dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error, please notify the appropriate party immediately.

Exhibit R1

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Progress Note Inpt

Addendum by STARR MD, FREDERIC L on July 31, 2011 09:33

Attending addendum:

Pt seen and examined on rounds with resident. Agree with above.

Summary of Assessment and Plan:

mental status improved today -

EEG shows possible seizure focus

LP today to r/o infectious process

Rt rocky now out. No output in last 24 hrs

WBC 13.4 today - on meropenam day 4/14 for serratia bacteremia, and vanco day 6 for bacteremia.

Neurology following

TF at goal

Electronically Authored On: 31-Jul-11 09:33

Electronically Signed By: STARR MD, FREDERIC L

SH - Trauma - Attending

PAGER BUS: 312 333 4365

Admit Information: 34 year old male with 2 GSW to right upper chest, abdomen and 4 GSW to right upper extremity.

A right chest tube was placed in resus and he was brought emergently for a damage control laparotomy.

Injuries included

1. grade IV liver laceration
2. bullet wounds to the 1st and second parts of the duodenum
3. vascular injury to the head of the pancreas
4. jejunal injuries

On 6/5/11 he underwent a damage control laparotomy, oversewing of the jejunal and duodenal injuries, packing of the liver with the use of hemostatic agents such as floseal and gel foam, oversewing of areas of bleeding related to the pancreatic head. 14 laps were left in the abdomen and a Bogota bag was placed. He was then brought in critical condition to the ICU for further resuscitation.

He went back to the OR on 6/7/11 for ex lap, washout, removal of laps definitive primary repair of the small bowel injuries, repacking of the liver and use of hemostatic agents, placement of an NGT past the duodenal repairs, 3 laps were left in the belly, a cassette cover was placed, and a wound vac above it

Report Request ID: 11728021

Page 456 of 2,567

Facility: n/a

Location: n/a

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Exhibit R2

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Progress Note Inpt

Now patient is status post bringback on 6/9 for washout with 10L NS and takedown of VAC. Doudenal injury was found to be persistant with no obvious diaphragmatic injury. Duodenum was repaired primarily with omental patch. NG DHT was placed. NG remains. ND tube was placed prximal to the injury. Retrograde duodenal tube placed. Rocky placed. JP placed. Cholangiogram revealed to obvious leakage.

OR for Washout 6/12

abdominal washout, replacement of skirted VAC, and completion of retrograde duodenostomy tube

OR for Washout 6/14

OR for Washout and trach 6/16

OR for Washout and left Rocky placed 6/18

OR for Washout and 2 left Rockys and 2 right Rockys placed 6/20

OR for Washout and replacement of retrograde jejunostomy tube 6/22, Febrile, OR 2 days ago, urine culture positive for pseudomonas, on zosyn; blood cultures positive for gram positive cocci in clusters 1/2- awaiting speciation

OR for washout, LOA, primary repair of jejunum, endoscopic G tube, and primary closure of skin on 6/24/11

6/26: Hemoglobin dropped to 5.7 and patient was transfused with 4u PRBC and 4 FFP and take to OR where they found clotted blood and SB mesenteric bleeding treated with flo-seal right JP placed, skin closed.

OR on 6/28 for abdominal washout. Flushing of rocky drains held.

OR for washout on 7/1, additional rocky placed on right. Pt had witnessed tonic clonic seizure on 7/21, and had been worked up day prior for similar episode. Neurology consulted.

7/26 - patient had seizure yesterday. Neuro recommending Dilantin (goal 10-20).

EEG and MRI done. Echo done per ID recs. No sz's since 7/25,

Overnight: Pt remained afebrile overnight, no febrile spikes, discussions with neurology and radiology on previosu day yielded recommendations to perform LP to rule out infectious etiology to the patient's change in mental status/possible infectious etiology to isolated new-onet seizures. Right Flank Rocky Drains advanced out completely this AM, new ostomy appliacnces attached.

Current medications:Inpatient Medications

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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~~EXHIBIT 12~~

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Progress Note Inpt

dilantin reloaded.

trach capped

wounds to wtd

tol lf

dispo pending in custody options meeting today

ajd

Electronically Authored On: 03-Aug-11 09:44

Electronically Signed By: DENNIS DO, ANDREW

SH - Trauma - Physician

PAGER BUS: 312 333 1862

Progress Note, Acute Care

Patient: MILLER, AARON D

MRN: 004749104c

FIN: 0704874452

Age: 34 years Sex: Male DOB: 12/17/1976

Associated Diagnoses: None

Author: BALLO MD, RANA M

Basic Information

Admit information: 34 year old male with 2 GSW to right upper chest, abdomen and 4 GSW to right upper extremity.

A right chest tube was placed in resus and he was brought emergently for a damage control laparotomy.

Injuries included

1. grade IV liver laceration
2. bullet wounds to the 1st and second parts of the duodenum
3. vascular injury to the head of the pancreas
4. jejunal injuries

On 6/5/11 he underwent a damage control laparotomy, oversewing of the jejunal and duodenal injuries, packing of the liver with the use of hemostatic agents such as floseal and gel foam, oversewing of areas of bleeding related to the pancreatic head. 14 laps were left in the abdomen and a Bogota bag was placed. He was then brought in critical condition to the ICU for further resuscitation.

He went back to the OR on 6/7/11 for ex lap, washout, removal of laps definitive primary repair of the small bowel injuries, repacking of the liver and use of hemostatic agents, placement of an NGT past the duodenal repairs, 3 laps were left in the belly, a cassette cover was placed, and a wound vac above it

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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Exhibit R3

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Progress Note Inpt

Now patient is status post bringback on 6/9 for washout with 10L NS and takedown of VAC. Duodenal injury was found to be persistent with no obvious diaphragmatic injury. Duodenum was repaired primarily with omental patch. NG DHT was placed. NG remains. ND tube was placed proximal to the injury. Retrograde duodenal tube placed. Rocky placed. JP placed. Cholangiogram revealed to obvious leakage.

OR for Washout 6/12

abdominal washout, replacement of skirted VAC, and completion of retrograde duodenostomy tube

OR for Washout 6/14

OR for Washout and trach 6/16

OR for Washout and left Rocky placed 6/18

OR for Washout and 2 left Rockys and 2 right Rockys placed 6/20

OR for Washout and replacement of retrograde jejunostomy tube 6/22, Febrile, OR 2 days ago, urine culture positive for pseudomonas, on zosyn; blood cultures positive for gram positive cocci in clusters 1/2- awaiting speciation

OR for washout, LOA, primary repair of jejunum, endoscopic G tube, and primary closure of skin on 6/24/11

6/26: Hemoglobin dropped to 5.7 and patient was transfused with 4u PRBC and 4 FFP and take to OR where they found clotted blood and SB mesenteric bleeding treated with flo-seal right JP placed, skin closed.

OR on 6/28 for abdominal washout. Flushing of rocky drains held.

OR for washout on 7/1, additional rocky placed on right. Pt had witnessed tonic clonic seizure on 7/21, and had been worked up day prior for similar episode. Neurology consulted.

7/26 - patient had seizure yesterday. Neuro recommending Dilantin (goal 10-20). EEG and MRI done. Echo done per ID recs. No sz's since 7/25

8/1 - trach downsized to 6 portex fenestrated and capped, pt able to voice.

8/2 - passed PO challenge, started on pureed diet. , **24 hour events:** Texas catheter removed yesterday, pt able to void independently. Received dilantin load yesterday with dilantin level within therapeutic range. Psych consulted yesterday, recommended not to restart meds. Started on pureed diet yesterday, which he tolerated well overnight..

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Progress Note InptDocumented MedicationsDocumented

loratadine: 10 MG, PO, Daily, 30 TAB

mirtazapine 30 mg oral tablet:

quetiapine 300 mg oral tablet:

Problem List: .All Problems

Chronic bronchitis NOS / 491.9 / Confirmed

INJURY BY OTHER AND UNSPECIFIED FIREARM, UNDETERMINED WHETHER ACCIDENTALLY OR
PURPOSELY INFLICTED / E985.4 / Confirmed

Shock following injury NOS / 958.4 / Confirmed

LACERATION OF LIVER, MAJOR, WITH OPEN WOUND INTO CAVITY / 864.14 / Confirmed

Injury of duodenum with open wound into abdominal cavity / 863.31 / Confirmed

Injury of small intestine with open wound into abdominal cavity NOS / 863.30 / Confirmed

TRAUMATIC HEMOTHORAX WITH OPEN WOUND INTO THORAX / 860.3 / Confirmed

Injury of diaphragm with open wound into cavity / 862.1 / Confirmed

Injury of head of pancreas with open wound into abdominal cavity / 863.91 / Confirmed

Physical Examination**VS/Measurements****Vital Signs**

6/30/2011 07:00

Type of Temperature Taken	Bladder	
Temperature Bladder	38.1 DegC	HI
Calculated Temperature Bladder		100.6 DegF
Type of Heart Rate	Cardiac monitor	
Heart Rate	96 bpm	
Respiratory Rate	19 breaths/min	
Mean Arterial Pressure, Cuff		70 mmHg
NIBP Site	Arm, Left	
MAP	85 mmHg	
CVP	5 mmHg	
Oxygen Saturation	99 %	
Oxygen Delivery Device	Ventilator	
SPO2 Probe Location	Left, Finger	
Capillary Glucose	156 mg/dL	HI
Reason for Vital Signs	Routine	
Systolic Blood Pressure	105 mmHg	
Diastolic Blood Pressure	53 mmHg	LOW
Arterial Systolic Blood Pressure		116 mmHg
Arterial Diastolic Blood Pressure		70 mmHg
Type of Temperature Taken	Bladder	
Temperature Bladder	38.4 DegC	HI

6/30/2011 06:00

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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Exhibit 4

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z, 004749104c

CMRN: 1006590988

Progress Note Inpt

	Calculated Temperature Bladder	101.1 DegF
	Type of Heart Rate	Cardiac monitor
	Heart Rate	100 bpm
	Respiratory Rate	21 breaths/min HI
	Mean Arterial Pressure, Cuff	77 mmHg
	NIBP Site	Arm, Left
	MAP	95 mmHg
	CVP	8 mmHg
	Oxygen Saturation	99 %
	Oxygen Delivery Device	Ventilator
	SPO2 Probe Location	Left, Finger
	Reason for Vital Signs	Routine
	Systolic Blood Pressure	116 mmHg
	Diastolic Blood Pressure	58 mmHg LOW
	Arterial Systolic Blood Pressure	138 mmHg
	Arterial Diastolic Blood Pressure	74 mmHg
6/30/2011 05:35	Respiratory Peak Flow	60 L/min
6/30/2011 05:00	Type of Temperature Taken Bladder	
	Temperature Bladder	38.5 DegC HI
	Calculated Temperature Bladder	101.3 DegF
	Type of Heart Rate	Cardiac monitor
	Heart Rate	94 bpm
	Respiratory Rate	21 breaths/min HI
	Mean Arterial Pressure, Cuff	75 mmHg
	NIBP Site	Arm, Left
	MAP	89 mmHg
	CVP	7 mmHg
	Oxygen Saturation	99 %
	Oxygen Delivery Device	Ventilator
	SPO2 Probe Location	Left, Finger
	Reason for Vital Signs	Routine
	Systolic Blood Pressure	114 mmHg
	Diastolic Blood Pressure	55 mmHg LOW
	Arterial Systolic Blood Pressure	128 mmHg
	Arterial Diastolic Blood Pressure	70 mmHg
6/30/2011 04:00	Type of Temperature Taken Bladder	
	Temperature Bladder	38.6 DegC HI
	Calculated Temperature Bladder	101.5 DegF
	Type of Heart Rate	Cardiac monitor
	Heart Rate	100 bpm
	Respiratory Rate	23 breaths/min HI
	Mean Arterial Pressure, Cuff	84 mmHg

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Neurology Inpt

< 2.5 (8/5)

Albumin 3.3 (up from low of 1.4 in early June)

Cr. normal.

Imp:

*New onset of seizures this admit- should be on anticonvulsants for next 6 months or more and decision to taper meds can be made if seizures do not recur.

Typical dosing is 5 - 7 mg/kg/day. Last body weight recorded was 91kg on 7/26. (91kg x 5 mg/kg/d = 405mg/day)

Please ensure patient is receiving dose as prescribed (200mg twice daily)-- the precipitous drop in his level in 3 days would suggest he is not receiving the medication as opposed to a dosing problem.

If seizures recur check level.

R. Bartt, MD

Electronically Authored On: 07-Aug-11 13:58

Electronically Signed By: BARTT MD, RUSSELL

PH -MEDICINE

PAGER BUS: 312 400 0531

Document Type:

Service Date/Time:

Result Status:

Perform Information:

Sign Information:

Neurology Inpt

8/7/2011 16:24 CDT

Unauth

LEE NOLL MD, KATHRYN (8/7/2011 16:35 CDT)

LEE NOLL MD, KATHRYN (8/7/2011 17:01 CDT)

*This is a 34 y/o male known to this service with recent history of multiple GSW requiring multiple surgeries with new-onset seizures. These occurred July 20th, 21st, and 25th and were described as generalized shaking. The service was reconsulted for recs on AED for discharge. The patient is currently subtherapeutic on Dilantin at <2.5 (down from 18.1 8/2) with albumin 3.2. There have not been any seizure episodes since July 25th. There were no acute events overnight.

PE

VS: T 98.8 HR 90 HP 134/78 O2 98% ORA

Const: NAD. WDN. pleasant.

CV: extremities well-perfused. No edema, erythema, or lesions.

MS/L: alert and oriented to person, place, time, and situation. speech fluent, comprehension intact. language appropriate.

CN: EOMI. gaze is normal. facial symmetry.

Motor: +5/5 UE and LE. tone normal. no abnormal movements.

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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Exhibit 15

Cook County Health and Hospitals System

1900 West Polk Street, Chicago, Illinois 60612

Patient Name: MILLER, AARON D

Patient Type: n/a

Birth Date: 12/17/1976

Gender: Male

FIN: n/a

Admission Date: n/a

Discharge Date: n/a

MRN: 00484056z; 004749104c

CMRN: 1006590988

Neurology Inpt

I.P results reviewed and are not concerning for infectious process. Pt has since returned to baseline and is no longer febrile. Will sign off, please call us if we can be of any further assistance.

Rccna Ghode

x3448

*Electronically Signed By: MANCUSO DO, JOEY M**SH - Neurosurgery - Resident**PAGER BUS: 312 390 2293**Electronically Signed On: 01-Aug-11 20:55**BARTT MD, RUSSELL**PH - MEDICINE**PAGER BUS: 312 400 0531*

Document Type:

Service Date/Time:

Result Status:

Perform Information:

Sign Information:

Neurology Inpt

8/7/2011 13:42 CDT

Auth (Verified)

BARTT MD, RUSSELL (8/7/2011 13:58 CDT)

BARTT MD, RUSSELL (8/7/2011 13:58 CDT)

Patient seen by our service at times over the hospital stay.

Asked to be seen again today for anticonvulsant dosing advice.

No seizures have occurred recently.

Patient has no recollection of seizures happening. He asked "can seizures kill me?"

He denies any prior history of seizures or convulsions in his life.

He is able to swallow pills and capsules without problem.

Prescribed 200mg twice daily capsules.

Face symmetric.

No nystagmus, EOMI.

No drift, 5/5 in proximal UE and distal UE and LE.

Labs:

Dilantin level 18.1 (8/2)

Report Request ID: 11728021

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Facility: n/a

Location: n/a

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Exhibit R6





Miller 13 C 3225

Exhibit 5-2

FCRL 001772

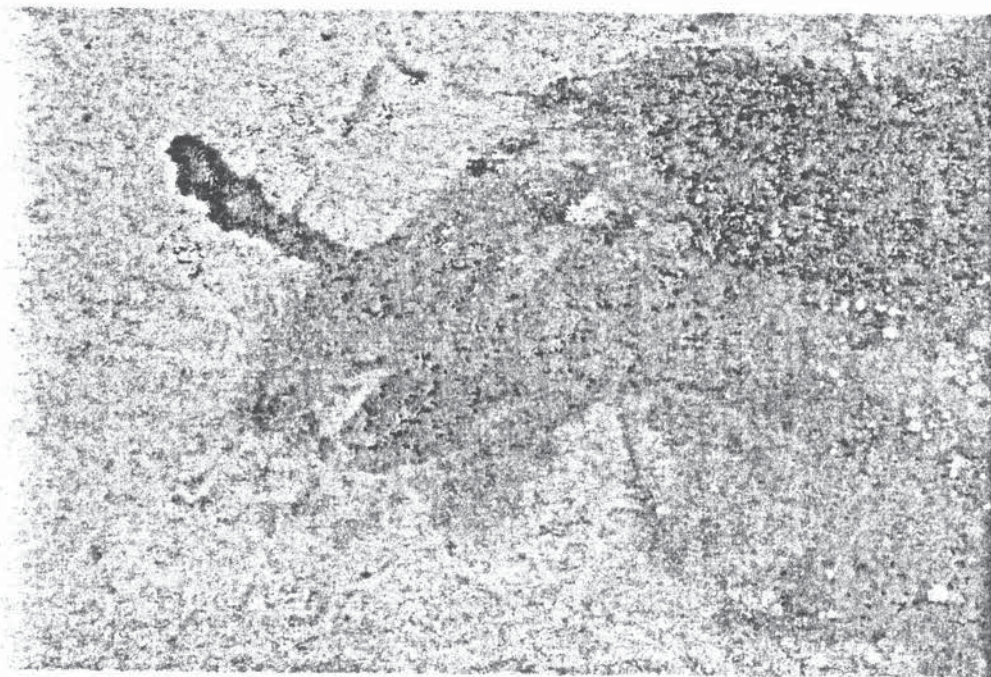


Miller 13 C 3225

Exhibit 5-03

FCRL 001771

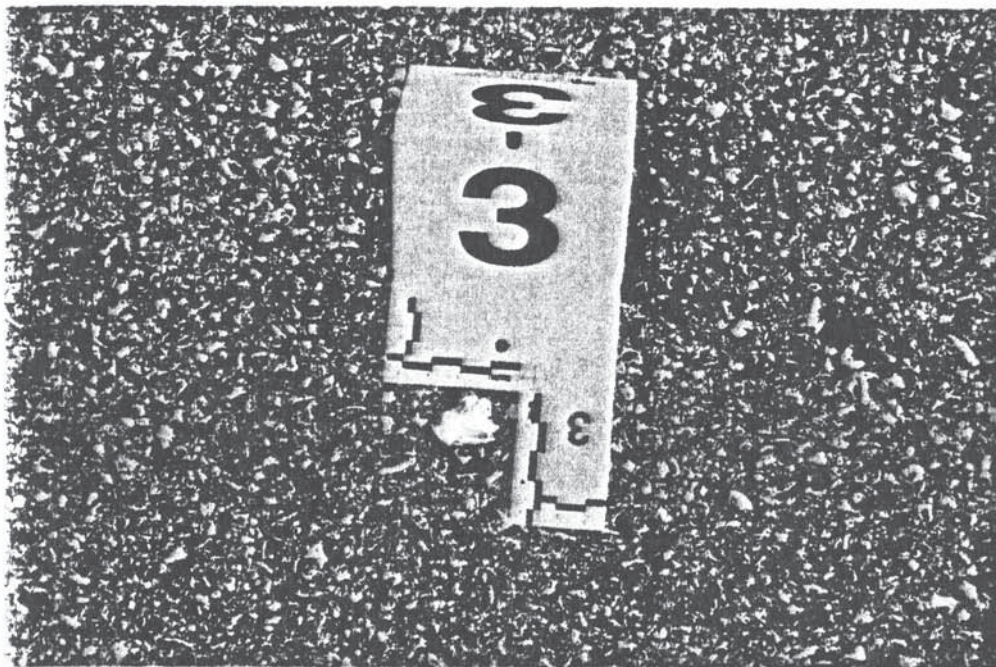
RD NO.	
HT 331501	
OFFENSE/INCIDENT	
DATE & TIME PHOTOS TAKEN	
PERPHER'S NAME	STAR NO.
	3
1954	



Miller 13 C 3225



Exhibit 5-04

FCRL 001756



Miller 13 C 3225

FCRL 001757

Chicago Police Department		Uniform and Property U04-02	
 DEPARTMENT APPROVED WEAPONS AND AMMUNITION			
			
ISSUE DATE:	23 July 2007	EFFECTIVE DATE:	24 July 2007
RESCINDS:	G07-01		
INDEX CATEGORY:	Uniform and Personal Equipment		

I. PURPOSE

This directive:

- A. provides specifications relative to prescribed revolvers, semiautomatic pistols, and ammunition for sworn members.
- B. introduces the firearm transition process for Department members hired:
 - 1. on or before 01 December 1991 who elect to transition from a revolver to a Department-approved semiautomatic pistol as their prescribed firearm, or elect to carry a Department approved semiautomatic pistol as an alternate / auxiliary firearm.
 - 2. after 01 December 1991 who elect to transition from their Department approved double-action only semiautomatic pistol; to a Department approved striker-fired pistol, or elect to carry a striker-fired pistol as an alternate / auxiliary firearm.
- C. delineates Department approved firearms.
- D. introduces a newly approved firing system, the striker-fired system.
- E. discontinues the:
 - 1. Chicago Police – Special Weapons Certificate (CPD-63.337).
 - 2. Chicago Police – Approved Handgun Certificate (CPD-63.336).
- F. introduces the Firearms Training and Certification available through ICLEAR.
- G. discontinues the Loan Receipt (CPD-20.012).
- H. introduces the Firearm Loan Receipt (CPD-63.344).
- I. Continues the use of:
 - 1. Certifying Statement-Firearms Form (CPD-11.702);
 - 2. Firearms Purchase Authorization/Sworn Members (CPD-31.220).
 - 3. Firearms Registration Application (CPD-31.562).
 - 4. Affidavit of Employment (CPD-31.563).
 - 5. Equipment Control Log-Special Equipment Vehicle (CPD-23.175).

II. POLICY

- A. Sworn members may only arm themselves with the firearms, ammunition, aerosol devices, and Taser devices as specifically approved by this directive.
- B. Any other weapon as described in 720 ILCS 5/24-1 or 720 ILCS 5/33A-1 is strictly prohibited.
- C. While sworn members are permitted to carry firearms during nonduty hours, they are instructed to refrain from doing so when there is a likelihood that they will be consuming alcoholic beverages or medications which may impair their physical and/or mental abilities. Nothing in this policy statement is to be construed as diminishing a sworn member's responsibility to take appropriate police action, which can be as little as summoning the police for help, when observing a crime in progress.

Exhibit 3K

EXHIBIT 3K

- D. A sworn member will not lend his firearm to any other person nor will a sworn member possess or carry a firearm registered to another person except as provided by a Department directive. During an emergency situation, however, a sworn member may lend his firearm to another sworn member or person who has been summoned to assist him in the performance of his official duty.
- E. The Department will provide training to ensure that weapons are safely handled and accordance with local, state, and federal laws and Department policy. D,
- F. Department members must qualify with all prescribed, alternate prescribed, or auxiliary weapon to carrying the weapon on or off duty. The Education and Training Division will maintain a record of weapons a Department member is approved to carry.
- G. Department members will possess a valid Firearm Owner's Identification Card (FOID).

NOTE: Members will provide proof of a valid FOID card during the annual proficiency weapon qualification.

III. GENERAL INFORMATION

- A. The prescribed firearm for all sworn members hired on or before 01 December 1991 is a Department approved revolver or semiautomatic pistol. Department members hired on or before 01 December 1991 electing to carry an approved semiautomatic pistol as their prescribed firearm must first successfully complete the transition process.
- B. The prescribed firearm for all sworn members hired after 01 December 1991 is a Department approved semiautomatic pistol.
- C. Department members hired after 01 December 1991 may transition to a Department approved striker-fired semiautomatic pistol. A transition to a revolver as a prescribed firearm will not be permitted for members hired after 01 December 1991.
- D. Department members will not be required to transition to a new firing system in order to comply with this directive.
- E. Authorized Department members can access current approved Firearms Training and Certification of all members by logging onto the ICLEAR system.

IV. AUTHORIZATIONS AND RESTRICTIONS FOR WEAPONS AND EQUIPMENT

The following provisions apply only to weapons intended to be used in the performance of police-related duties:

- A. Revolvers will not be cocked nor fired single action.
- B. Uniformed sworn members will:
 - 1. carry their prescribed firearm or alternate prescribed firearm in a Department-approved holster.
 - 2. not carry more than two exposed firearms.
- C. When in citizen's dress, members will carry their firearms and extra ammunition in Department-approved holsters and ammunition carriers.
- D. The appropriate deputy superintendent or the Commander, Department Administration may authorize the use of additional weapons / ammunition by specialized units within the Department. This authorization will be in the form of a To-From-Subject report. Copies of the authorization will be maintained in each bureau with one copy forwarded to the Education and Training Division.

NOTE: The To-From-Subject report will provide justification for the use of the additional weapons/ammunition and a recommended certification procedure to be administered by the Education and Training Division.

V. INTERSTATE TRANSPORT OF FIREARMS OR AMMUNITION

- A. A sworn member whose duty assignment involves the interstate transport of a person in custody or otherwise requires them to be armed while traveling outside of the State of Illinois will conform to federal, state, and local laws.
- B. A sworn member will ascertain and comply with the regulations governing the possession and transportation of firearms/ammunition while using a public common carrier.
- C. Off duty sworn members will comply with all jurisdictional regulations pertaining to possession and transportation of firearms and ammunition when traveling outside the State of Illinois.

VI. INSPECTION

- A. District/Unit commanders will designate a location within the police facility for loading and unloading revolvers and semiautomatic pistols.
 - 1. This location will be provided with a Firearm Safety Center.
 - 2. The Firearm Safety Center is a free-standing device constructed of ballistic panels and a removable compartment lining. The device is manufactured in such a way as to contain a fired projectile in the event of an unintentional or negligent discharge.
- B. Supervising sworn members will ensure that:
 - 1. firearms carried on duty are regularly inspected for cleanliness and serviceability
 - 2. only Department-approved ammunition is used and in serviceable condition.
- C. Manual inspection of a semiautomatic pistol can only be performed by a supervisor who has completed the Roll Call Pistol Procedure Class offered by the Education and Training Division.
- D. Roll call weapon's inspection will be conducted each Wednesday.

VII. REVOLVERS

A. Prescribed Revolver

When on duty, sworn members hired on or before 01 December 1991 who choose not to transition to a semiautomatic pistol will be equipped with a Department-approved revolver which conforms to the following specifications:

1. Approved Manufacturers

a. Colt

Prohibited Models: Diamondback and Police Positive.

b. Smith & Wesson

Prohibited Models: L frame .357 magnum models 581, 586, 681, and 686 which do not have an "M" stamped above the model number or a "2" or higher number stamped after the basic three-digit model number, e.g., 581-2.

c. Sturm Ruger

Prohibited Models: Those with serial numbers prefixed by the number 150.

2. Design and Calibers

- a. A sworn member whose date of appointment is on or before 1 July 1991 will utilize a service revolver chambered in .38 Special or .357 Magnum caliber with double- and single-action capability and a solid-frame, swing-out cylinder with six cartridge chambers, hammer safety device, and hammer spur.
- b. A sworn member whose date of appointment is after 01 July 1991 will utilize a service revolver chambered in .357 Magnum caliber, with double- and single-action

capability and a solid-frame, swing-out cylinder with six cartridge chambers, hammer safety device, and a hammer spur.

c. The frame, barrel, and cylinder will be carbon or stainless steel.

3. Barrel length will be four inches and conform to the manufacturer's original specifications.

4. After the effective date of this directive, all revolvers acquired by Department members will have all exterior parts such as the frame, barrel, cylinder, hammer, and trigger of one finish. Refinishing the entire handgun or any component part (s) in either chrome or nickel plate is prohibited. Manufacturer-applied "Industrial Hard Chrome" and "Electroless Nickel" type factory finishes are approved. Weapons will not be altered beyond the manufacturer's original specifications including the surface finish.

5. Sights may be either fixed or adjustable. Electrical and optical sights are prohibited.

6. Handgrips will be constructed of wood, rubber, or synthetic material, and be brown or black in color or a combination thereof. They may be plain or checkered and, except for a manufacturer's name or trademark, will be without ornamentation. Handgrip adapters, if used, will be of white or black metal, or black hard rubber or synthetic material.

7. No member will carry a service revolver with:

a. the hammer spur removed unless so designed by the manufacturer.

b. the frame, barrel, cylinder, internal/external parts, safety mechanisms, and surface finish altered beyond the manufacturer's specifications.

c. a detachable trigger shoe.

d. the surface engraved, etched, or inlaid with other than a personal alpha/numeric identifier unless approved by the Department.

8. Sworn members will qualify with their prescribed revolvers in accordance with the Department directive which describes the Prescribed Weapon In-Service Training and Qualification Program.

B. Alternate Prescribed Revolver

Sworn members assigned to citizen's dress and in administrative duty or who are off duty may carry an alternate prescribed revolver in lieu of the prescribed revolver. The revolver must meet the same specifications as a prescribed revolver, but may be:

1. chambered in either .38 Special or .357 Magnum calibers.

2. constructed with a:

a. frame and/or cylinder of an aluminum alloy.

b. frame, cylinder, and barrel of steel that has an empty weight of less than 21 ounces with standard factory handgrips.

c. double- and single-action or double-action-only capability.

d. spurless hammer, designed and produced by the manufacturer.

e. fully or partially shrouded hammer, designed and produced by the manufacturer.

f. cylinder with a loading capacity of either five or six cartridges.

g. barrel length less than four inches.

C. Revolver Ammunition

1. .38 Special caliber +P, 125 through 135 grain, jacketed hollow-point ammunition or .38 Special caliber +P, 158 grain lead, semi-wad cutter, hollow point ammunition will be used in the following revolvers:

a. Prescribed revolvers chambered either in .38 Special caliber or .357 Magnum caliber.

- E. A member approved to use a conventional firing system pistol may replace that pistol with another of the same manufacturer, model, and caliber if that pistol is lost, stolen, or damaged so beyond repair that the manufacturer recommends the pistol be replaced.

NOTE: Department members hired before 01 December 1991 who elect to carry an approved conventional firing system (CFS) semiautomatic pistol, whether on or off duty, may only do so if the weapon was registered by that Department member with the City of Chicago prior to 01 September 1992.

- F. A Department member approved to use a striker-fired pistol will not alter the trigger pull from the standard factory trigger. Competition triggers of less than five pounds are prohibited.
- G. Semiautomatic pistols acquired by sworn members for duty use after the effective date of this directive will only be double action or striker fired.
- H. Sights may be fixed or adjustable.
- I. Handgrips will be constructed of wood, rubber, or synthetic material and be brown or black in color or a combination thereof. They may be plain or checkered and, except for a manufacturer's name or trademark, will be without ornamentation.
- J. Magazine(s) will be secured in a Department-approved magazine pouch. The magazine(s) will conform to the manufacturer's original specifications and will not extend beyond the base of the butt of the frame. A magazine with a finger extension floorplate that is a part of the original magazine is authorized.
- K. Uniformed sworn members and citizen's dress sworn members assigned to field duties will carry a minimum of one additional fully loaded magazine.
- L. No sworn member will carry an approved semiautomatic pistol that has:
1. a detachable trigger shoe or added trigger shoe.
 2. been altered beyond manufacturers' original specifications including the surface finish. Only black, blue steel, nickel, chrome, satin, stainless steel, or a two tone combination of manufacturers' finish is allowed.
 3. a polymer frame with any finish other than black.
 4. a barrel length that has been altered from the original manufacturer's specifications.
 5. the surface engraved, etched, or inlaid with other than a personal alpha/numeric identifier unless approved by the Department.
- M. Semiautomatic pistols will be carried in Department-approved holsters.
- N. All uniformed sworn members assigned to field duty who carry a semiautomatic pistol will utilize a Department-approved firearm with a minimum barrel length of 3.5 inches.
- O. All citizen's dress Department members assigned to field duty who carry a semiautomatic pistol will utilize a Department-approved firearm with a minimum barrel length of 3.0 inches.
- P. Auxiliary Weapons - Restrictions
1. A sworn member assigned to administrative duty or who is off duty is approved to carry/use an auxiliary semiautomatic pistol, as appropriate, in lieu of the prescribed semiautomatic pistol or alternate prescribed semiautomatic pistol, with the following provisions:
 - a. The firearm will be registered with the City of Chicago.
 - b. The sworn member will be required to successfully complete a familiarization, testing, and qualification course or a transition course as outlined in this directive. In addition, the member will be required to annually re-qualify with the auxiliary firearm.
 - c. Auxiliary firearms will be carried in Department-approved holsters.

2. When assigned to uniform or citizen's dress field duties, the auxiliary firearm **will not** be carried in lieu of the member's prescribed duty firearm.

NOTE: All Department members assigned or working administrative duties who elect to carry an approved auxiliary firearm will have their approved duty firearm available in the event that they are required to perform field duties.

IX. FIREARM TRANSITION PROCESS

- A. Department members hired on or before 01 December 1991 who elect to transition from their prescribed revolver to a striker-fired or DAO semiautomatic firearm that they have not previously qualified with will be required to successfully complete a three-day transition course offered by the Education and Training Division.
- B. Department members hired on or before 01 December 1991 who transition from their prescribed revolver to a DAO semiautomatic firearm and then elect to transition to a striker-fired firearm will be required to successfully complete a two-day transition course offered by the Education and Training Division.
- C. Department members hired on or before 01 December 1991 who elect to transition from their prescribed revolver to a CFS weapon that has been registered with the City of Chicago prior to 01 September 1992 or to a DAO semiautomatic firearm and hold a current approved handgun certificate will be required to successfully complete a three-hour transition course offered by the Education and Training Division.
- D. Department members hired on or before 01 December 1991 who elect to transition from their prescribed revolver to a CFS or DAO weapon that has been registered with the City of Chicago prior to 01 September 1992 and have previously qualified with the weapon but do not possess a **current** approved handgun certificate will be required to successfully complete a three-day transition course offered by the Education and Training Division.

NOTE: Department members hired on or before 01 December 1991 who elect to transition from their prescribed revolver to a semiautomatic firearm as their prescribed weapon will not be allowed to revert to the revolver as their prescribed weapon once they complete the transition process. However, Department members will be approved to utilize their revolver as an alternate prescribed weapon or auxiliary weapon upon completion of existing training.

- E. Department members hired after 01 December 1991 who elect to transition to a striker-fired pistol as their prescribed semiautomatic pistol will be required to successfully complete a two-day transition course offered by the Education and Training Division.
- F. Department members hired after the effective date of this directive who complete training and qualification with the striker-fired pistol and later elect to carry a Department-approved DAO semiautomatic pistol as their prescribed, alternate, or auxiliary weapon will not be required to attend the transition course. However, Department members who change manufacturers will be required to complete a three-hour training and qualification course.
- G. Department members hired after the effective date of this directive who complete training and qualification with a DAO semiautomatic firearm and later elect to carry a striker-fired firearm as their prescribed, alternate, or auxiliary weapon will be required to complete a two-day course offered by the Education and Training Division.

- H. Department members who elect to carry a DAO, striker-fire, or CFS semiautomatic pistol as an auxiliary or alternate weapon but do not elect to transition from their prescribed weapon must comply with all the requirements of the transition process and attend the appropriate training.

NOTE: The Education and Training Division will notify Department members when the Firearm Transition Process is available. All transition courses will be available on a voluntary basis during off-duty hours.

X. REPLACEMENT, TRANSFER, AND REGISTRATION OF FIREARMS; REPORTING OF LOST OR STOLEN FIREARMS/WEAPONS

A. LEGISLATION

1. Chapter 430, Article 65 of the Illinois Compiled Statutes, known as the Firearm Owners Identification Card Act, states that no person may acquire or possess any firearm or firearm ammunition without having in his or her possession a current Firearm Owner's Identification Card (FOID).
2. Provisions of this article do not apply to law enforcement officials while engaged in their official duties.
3. However, based upon the language of the statute and case law, a law enforcement officer violates the Firearm Owner's Identification Card requirements if he or she is in possession of a firearm without a Firearm Owner's Identification Card while performing a task not related to his or her duties.

NOTE: For example, a law enforcement official who is shopping for personal groceries, regardless of duty status, is not engaged in the operation of his or her official duties, and therefore would violate the Firearm Owner's Identification Card requirements of Section 65/2 of The Firearms Owner's Identification Card Act.

- B. The Gun Control Act of 1968 (GCA), as amended by the Omnibus Consolidated Appropriations Act of 1997, makes it unlawful for any person convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition. The GCA further prohibits persons from selling or otherwise disposing of a firearm or ammunition to any person known to have been convicted of a misdemeanor crime of domestic violence, or to anyone who they have reasonable cause to believe has been convicted of a misdemeanor crime of domestic violence. This prohibition does apply to all law enforcement officers.

C. Prescribed Firearms/Temporary Replacement

1. Temporary replacement of a prescribed firearm may be obtained if:
 - a. the sworn member's prescribed firearm is lost, stolen, unserviceable, or has failed to pass inspection. With the approval of the unit/watch commander or the firearms range officer, the affected member may submit a request for a temporary replacement firearm and ammunition by submitting a To-From-Subject report approved by his or her unit commanding officer and all related documentation (such as case reports, gunsmith's repair receipts, purchase orders, etc.) to the Assistant Deputy Superintendent, Education and Training Division.
 - K b. the sworn member's prescribed firearm is to be examined by the Forensic Services Section. The member may request a temporary replacement of a prescribed firearm, if necessary, by:
 - (1) generating a To-From-Subject report requesting the temporary replacement and obtaining the unit/watch commander's written approval.
 - (2) submitting the approved To-From-Subject report, along with copies of the Tactical Response Report (CPD-11.377) and the Property Inventory Report

(CPD-34.523) listing the member's prescribed firearm, to the Assistant Deputy Superintendent, Education and Training Division.

2. A sworn member who has been issued a temporary replacement firearm will be responsible for the proper care, maintenance, and return of the firearm to the Education and Training Division. If a member must retain the replacement firearm for more than thirty days, the member will appear in person at the Education and Training Division with the loaned firearm and submit a To-From-Subject report with the unit/watch commander's approval explaining the need for an extension.
3. The Firearm Loan Receipt (CPD-63.344) will be prepared when a replacement firearm is issued.

D. Replacement Ammunition

1. Each district is supplied 200 of the following Department-approved duty ammunition cartridges:
 - a. .38 Special +P,
 - b. 9 mm,
 - c. .40 caliber S&W,
 - d. .45 caliber ACP.

NOTE: Each district will be supplied with 50 rounds of OO Buck Shotgun Ammunition.

2. The watch commander is responsible for the security and issuance of this ammunition. Additional cartridges will be requested from the Equipment and Supply Section on a Material Requisition form (CP-GS-6).
3. Any member, regardless of assignment, may obtain replacement ammunition for Department-issued cartridges that are lost, stolen, damaged, defective, or expended in the line of duty.
4. Whenever the replacement of ammunition is necessary, the requesting member will submit a copy of a Tactical Response Report and/or other related documentation to the watch commander from the district of occurrence.
5. The watch commander will note the number and type of ammunition issued, sign his or her name, and enter his or her rank on the reverse side of the report(s). The report(s) will be forwarded to the issuing district commander.
6. Members will follow established material requisition procedures and submit copies of the Tactical Response Report and/or related documentation when requesting replacement of expended, damaged, lost, stolen, or defective Department ammunition.

E. Purchase of Firearms from a Dealer

1. A sworn member who elects to purchase a duty-related revolver, semiautomatic firearm, or high-capacity magazine and does not possess a valid FOID card, or who possesses a valid FOID card and requests a waiver of the required waiting period, will complete one copy of the Certifying Statement - Firearms form (CPD-11.702) and present it to the firearms dealer at the time of purchase.

NOTE: Gun dealers are not obligated to waive the waiting period for members who do not possess a valid FOID card.

2. The Certifying Statement - Firearms form will be obtained from the member's unit of assignment.
3. The Certifying Statement - Firearms form will be retained by the firearm dealer as verification of the exempt status of the sworn member.

F. Sale or Transfer of Firearms Between Sworn Members

1. Department members must comply with all city, state, and federal laws before they sell, give, lend, or dispose of a firearm or other deadly weapon.
2. The sale and transfer of duty-related firearms from one sworn member to another sworn member does not require the buyer to possess an FOID card. However, an FOID card is required for the sale and transfer of all non-duty-related firearms.
3. A member buying or receiving a firearm will obtain a Firearms Purchase Authorization / Sworn Member form (CPD-31.220) from the Police Field Services Section, Records Inquiry/ Customer Services Section, or Gun Registration Program.

G. Duty-Related Firearms

1. The Firearms Purchase Authorization / Sworn Member form, prepared in triplicate, authorizes the transfer of duty-related firearms between sworn members without an FOID card.
2. The seller will complete the Dealer/Seller Section of the Firearms Purchase Authorization / Sworn Member form. The seller will retain the original and the buyer will retain a copy of this form for their records for a period of ten years from the date of transfer (430 ILCS 65/3).
3. The buyer will complete a Firearms Registration Application (CPD-31.562)
4. The buyer will forward one copy of the Firearms Purchase Authorization / Sworn Member form and a completed Firearms Registration Application to the Gun Registration Program.

H. Non-Duty-Related Firearms

1. The original Firearms Purchase Authorization / Sworn Member form along with the member's valid FOID card will be presented to the seller. The seller will complete the Dealer/Seller Section of the form. The seller will retain the original and the buyer will retain a copy of the form for their records for a period of ten years from the date of transfer (430 ILCS 65/3).
2. The buyer will forward one copy of the Firearms Purchase Authorization / Sworn Member form and a completed Firearms Registration Application with the required registration fee to the Gun Registration Program.
3. Department members will not transfer a firearm and/or ammunition to a resident of the City of Chicago except in accordance with the provisions of Section 8-20-170 of the Municipal Code of Chicago. All state and federal laws will be abided by when transferring firearms. A member who transfers a firearm and/or ammunition will submit a To-From-Subject report to the commanding officer of the Gun Registration Program. Members will retain a copy of the report for their records. The To-From-Subject report will include:
 - a. the name and address of the person to whom the firearm and/or ammunition was transferred.
 - b. the date the transfer was made.

I. City of Chicago Firearm Registration

1. All firearms located in the City of Chicago must be registered and, if appropriate, re-registered in accordance with the provisions of Chapter 8-20 of the Municipal Code of Chicago. It is the responsibility of the person owning or possessing a firearm to comply with these provisions.
2. Sworn members will re-register non-duty-related firearms annually at least sixty days prior to the expiration date indicated on the certificate. Peace officers are not required to annually re-register duty-related firearms.
3. Sworn members registering only duty-related firearms are exempt from the registration fee.

J. Firearm Registration and Re-registration Procedures

A Firearm Registration Application must be completed for each firearm to be registered and/or re-registered.

1. Duty-Related Firearms Procedures

- a. When registering duty-related firearms, members will comply with all of the instructions stated on the reverse side of the Firearm Registration Application. In addition, a member registering only a duty-related firearm(s) will:
 - (1) enter "CPD" and his or her unit number of assignment on the "A" and "B" portions of the application in the box entitled "Business Address."
 - (2) submit the completed Firearm Registration Application to the member's unit/watch commander.
 - (3) submit an Affidavit of Employment (CPD-31.563) with the Firearms Registration Application if the member is a probationary police officer.
 - (4) upon the return of the approved application from the unit/watch commander, forward the application via intradepartmental mail to the Gun Registration Program, Room 1043, Central Police Headquarters.
- b. The unit/watch commander will review Firearm Registration Applications for duty-related firearms only to verify that:
 - (1) the named applicant is a sworn member of the Department.
 - (2) all instructions have been followed and that the necessary attachments have been submitted.
 - (3) the firearm listed on the application is a Department approved duty-related firearm.
 - (4) attest to the above facts by signing his or her name, star number, and unit of assignment in the appropriate space of the "C" portion of the application.

2. Non-duty-Related Firearms Procedures

- a. When registering or re-registering non-duty-related firearms, members will comply with all of the instructions stated on the reverse side of the Firearm Registration Application.
- b. Members registering a non-duty-related firearm will submit the completed Firearm Registration Application, a copy of their current FOID card, and the registration fee directly to the Gun Registration Section. Intradepartmental mail may be used. Do not separate the Firearms Registration Application(s).
- c. Certificates of Registration for non-duty-related firearms will be returned directly to the registering member.

K. Reporting Requirements – Loss or Theft of Firearms / Weapons

1. Responsibilities of Members Reporting the Loss or Theft of Firearms / Weapons

- a. If the loss or theft of a firearm or weapon occurs within the City of Chicago, the member will promptly report the incident to the Department. The member preparing the case report will:
 - (1) complete the appropriate case report in accordance with existing Department procedures.
 - (2) ensure that an Administrative Message Facsimile Network (AMFN) message is sent and that the AMFN message number is included in the narrative portion of the case report.
 - (3) mark the "Extra Copies Required" box with the notation "one copy to Gun Registration."

- D. Committee members who determine there is a need for a meeting will communicate with the Chairman. Committee meetings will convene upon notification from the Chairman during normal business hours where practicable.
- E. A sworn member of the Police Equipment Evaluation Team, Research and Development Division, will attend all meetings, serve as secretary to the committee, and provide official liaison between the committee and retailers, manufacturers, and other suppliers of weapons and related equipment.
- F. Committee affairs will be conducted only when a quorum of the membership is present. A quorum will consist of at least four committee members of which one will be the Chairman or Vice-Chairman. Issues will be voted upon by all the committee members.
- G. The Arsenal Committee functions as a subcommittee of the Uniform and Personal Equipment Policy Committee. The Chairman, Arsenal Committee, will report all committee affairs directly to the Chairman, Uniform and Personal Equipment Policy Committee.

Responsibilities of the Arsenal Committee include:

- 1. development of weapon specifications for the Department.
- 2. conducting research and evaluating weapons and/or ammunition for possible use by Department members.
- 3. making recommendations to the Chairman, Uniform and Personal Equipment Policy Committee, relative to the adoption or discontinuation of weapons and/or ammunition for use by Department members.

XVI. PRESCRIBED DUTY WEAPON LOCKING DEVICE

A. The Department:

- 1. requires sworn Department members to secure their prescribed duty weapon when the prescribed duty weapon is not on their person.
- 2. strongly encourages sworn members to secure any/all other firearms which may be in their possession or under their control as mandated by Illinois Compiled Statute (ILCS) entitled "Firearms; Child Protection" (720 ILCS 5/24-9).

B. Effective 1 January 2000, 720 ILCS 5/24-9 "Firearms; Child Protection" was enacted.

NOTE: In essence, the statute states that a firearm must be secured when the likelihood exists that a minor under the age of 14 could gain unlawful access to the firearm. ~~Department policy regarding the securing of a sworn member's prescribed duty weapon is more restrictive.~~

- C. Sworn Department members not carrying their prescribed duty weapon on their person and not having an alternate means to secure the prescribed duty weapon will place the Department-issued locking device on their prescribed duty weapon.

NOTE: ✱ Sworn Department members may secure their prescribed duty weapon in a locked box/container or secured in another location that a reasonable person would believe will prohibit access to the prescribed duty weapon by unapproved individuals and meets the requirements of 720 ILCS 5/24-9.

- D. The Assistant Deputy Superintendent, Education and Training Division, will ensure that Department members receive annual instruction during the Prescribed Weapon In-Service Training and Qualification Program on proper procedures for securing their prescribed duty weapon.

Authenticated by:

Philip J. Cline
Superintendent of Police

06-183 KD/SRM

GLOSSARY TERMS:

1. **HBT (Hostage Barricade Team) Incident Coordinator**
A specially trained sworn member who is responsible for the coordination of administrative matters involving the HBT Incident Program, who responds to the scene of an HBT incident and functions as an aide and advisor to the officer in charge.
2. **Active Resister**
Includes subjects who secret themselves and fail to comply with sworn members' orders to reveal themselves.
3. **Police Carbine Operator Program**
The overall program developed by the Department for the approval, procurement, training, security, issuance, use, and maintenance of Department-approved carbines.
4. **Carbine Operator Course**
~~A voluntary five-day course members must initially pass to be qualified to participate in the Police Carbine Operator Program.~~
5. **Carbine Operator Requalification Course**
A block of training required for members in the Police Carbine Operator Program. This course is taken subsequent to the Carbine Operator Course and must be completed to maintain qualification.
6. **Carbine Familiarization Course**
A block of instruction relative to the safe handling, loading, and unloading of the carbine as well as placement and removal from gun racks and locks.
7. **Personal Carbine Operator Zeroing Course**

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b. Pain Compliance Techniques

Pain compliance consists of techniques designed to amplify nonimpact pressure and pain in order to increase the potential for controlling a subject. These techniques consist of applying pressure to pain sensors in the skin covering bone and joints (i.e., armbars and amplified wristlocks) to amplify pain.

c. Control Instruments

Control instruments are designed to amplify nonimpact pressure and pain in order to increase the potential for controlling a subject. These instruments are placed mainly on the pain sensors of the skin covering bone.

d. Oleoresin Capsicum (OC) Spray

Oleoresin capsicum is a highly inflammatory agent that occurs naturally in cayenne peppers. The use of OC spray is intended to increase control by disorienting the subject and interfering with the subject's ability to resist arrest.

Oleoresin capsicum is appropriate to use against two types of passive resisters only after the required authorization is received:

- (1) occupant(s) of a motor vehicle who is engaging in passively resisting arrest, only after obtaining authorization from an on-scene supervisor of the rank of sergeant or above.
- (2) unresponsive groups or crowds (e.g., demonstrators, sports championship celebrations, New Year's Eve, etc.), only after obtaining authorization from an on-scene supervisor of the rank of lieutenant or above.

2. Active Resister: a person whose actions attempt to create distance between that person and the member's reach. This type of resistance includes gestures ranging from evasive movement of the arm, through flailing arms, to full flight by running. In addition to the response options in Items III-A and III-B-1, the following response options are appropriate when dealing with an active resister:

a. Stunning

Stunning is diffused-pressure striking or slapping and is an attempt to increase control by disorienting the subject and interfering with the subject's ability to resist.

b. Oleoresin Capsicum (OC) Spray

Oleoresin capsicum is an appropriate force option against all active resisters without the need for any prior authorization.

c. Canines Used by Canine Handlers

A canine under the control of a canine handler is an appropriate force option when used consistent with the provisions of the Department directive entitled "Canines as a Force Option."

d. Taser

- (1) The Taser is a device used to control and subdue a subject through the application of electrical impulses that override the central nervous system and cause uncontrollable muscle contractions. Two darts attached by thin wires are fired from a cartridge attached to the hand-held device. When both darts attach to the subject, a timed electrical impulse is applied to the subject at the control of the operator, the electrical impulse immobilizes the subject long enough for restraints to be applied.

Exhibit 13

- (2) Only Department-issued Tasers may be used and only after the member has received Department-authorized training in their safe handling and deployment.
- C. Assailant: a subject who is using or threatening the imminent use of force against himself/herself or another person. The Use of Force Model categorizes assailants into three categories.
1. Actions are aggressively offensive without weapons. This type of assailant is one who places a member in fear of a battery and includes advancing on the member in a threatening manner or closing the distance between the assailant and the member, thereby reducing the member's reaction time. In addition to the response options in Items III-A and III-B, the following response options are appropriate when dealing with this type of assailant:
 - a. Direct Mechanical
Direct mechanical techniques are hard, concentrating, striking movements such as punching and kicking, or powerful locks and pressures. These techniques can be combined with take-downs or pins against the ground or other objects.
 - b. Impact Weapons
The baton is the member's primary impact weapon, which is used for striking. Impact weapons are designed to establish control by means of applying mechanical impact to a subject in order to disable elements of his or her skeletal structure. Members will avoid the use of flashlights, radios, or any item not specifically designed as a defensive weapon if the baton is reasonably available.
 - c. Impact Munitions
 - (1) Impact munitions are projectiles such as "drag stabilized sock rounds" or batons that are fired from shotguns with specially colored yellow stocks or tear gas launchers. These projectiles are intended to impact and incapacitate a potentially dangerous subject from a safe distance, thereby reducing resistance and gaining compliance while reducing the probability of serious injury or death.
 - (2) Only Department-issued impact munitions may be used and only after the member has received Department-authorized training in their safe handling and deployment.
 2. Actions will likely cause physical injury. Included in this category of assailant may be a subject who is armed with a deadly weapon and the subject fails to disarm, thereby making the subject's actions likely to cause physical injury. The appropriate response options when dealing with this category of assailant are those listed in Items III-A, III-B, and III-C-1.
 3. Actions will likely cause death or serious physical injury. An assailant in this category is one whose actions will likely cause death or serious physical injury to another person. In addition to the response options in Items III-A, III-B, and III-C-1, firearms and other deadly force are appropriate when dealing with an assailant whose actions will likely cause death or serious physical injury to another.

IV. POST-USE OF FORCE POSITIONING AND MONITORING

After gaining control of a subject, members will:

- A. avoid sitting, kneeling, or standing on a subject's chest, which may result in chest compression, thereby reducing the subject's ability to breathe.
- B. position the subject in a manner to allow free breathing. Whenever feasible, the subject will not be placed on the subject's stomach.
- C. monitor an arrestee until transported to a secure location.

Firearm Discharge in Incidents other than the Destruction of Animals

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5. allowed reasonable periods of time for personal necessities, meals, telephone calls, and rest.

III. MEMBER'S RESPONSIBILITIES IN FIREARM DISCHARGE INCIDENTS

- A. Members who discharge a firearm in the destruction of an animal will follow the procedures described in the Department directive entitled "Other Weapon Discharge Incidents."
- B. In any other instance where a member has discharged a firearm or has had gunfire directed at his or her person, the member, if physically capable, will:
 1. notify the Office of Emergency Management and Communications (OEMC) immediately and provide all relevant information.
 2. attend to all required emergency and security duties arising from the incident.
 3. provide Department members conducting the investigation with information required to effect arrests and fulfill immediate law enforcement necessities.
 4. inform the desk sergeant of the district of occurrence.
 5. remain on the scene, if not injured, and report to the watch commander from the district of occurrence upon his or her arrival.
 6. ensure that his or her firearm remains holstered and secured until it is submitted to Forensic Services Section personnel.

NOTE: If the involved member is injured and needs to be relieved of his or her firearm prior to receiving medical treatment, the securing member will take possession of the firearm and duty belt and will ensure that the firearm remains holstered and secured.

7. if disarmed during the firearm discharge incident, preserve the firearm as evidence, as it will be processed in compliance with the Department directive entitled "Crime Scene Processing."
8. complete a Tactical Response Report (TRR) (CPD-11.377) and other reports at the location designated by the district watch commander responsible for the investigation.

NOTE: When a member who has discharged a firearm is unable to complete the TRR for any reason, it will become the responsibility of a supervisor designated by the watch commander to prepare this report.

9. attend the Round Table Panel Session as directed by supervisory personnel.
10. contact the Professional Counseling Service via telephone within twenty-four hours of the incident to schedule a mandatory debriefing.

NOTE: Members who are hospitalized as a result of their involvement in a firearm discharge incident will be contacted by a counselor from the Traumatic Incident Stress Management Program.

- C. In any instance where a member has discharged a firearm outside the City of Chicago, the member will:
 - 1. notify the local police agency and this Department's Operations Command.
 - 2. ensure the submission of all reports connected with the incident, including a TRR and a To-From-Subject report, without unnecessary delay.
- D. Any member, whether on or off duty, having knowledge of circumstances surrounding a firearm discharge incident or who has been fired upon will:
 - 1. remain on the scene until released by those Department members conducting the investigation.
 - 2. provide those Department members conducting the investigation with required information, assistance, and when requested, oral and written statements.
 - 3. report to the watch commander in the district of occurrence.
- E. Member's Statements and Interviews.
 - 1. A member who is involved in a firearm discharge incident will provide an oral report to the person responsible for conducting the investigation without delay and outside the presence of any other individuals.
 - 2. When a member who has discharged a firearm is notified that he or she must give a written statement or an oral statement in the presence of an observer, the interview may be postponed by the officer for a period of time not to exceed two hours.

IV. OFFICE OF EMERGENCY MANAGEMENT AND COMMUNICATIONS (OEMC) RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the OEMC will:

- A. dispatch sufficient patrol units to the scene.
- B. determine if a medical emergency exists and if appropriate:
 - 1. notify the Chicago Fire Department to dispatch emergency medical service units to the scene.
 - 2. inform the emergency room of the receiving hospital.
- C. assign a sergeant and a field lieutenant from the district of occurrence to the scene. In the event that a member has been injured, OEMC will assign a supervisor to respond to the medical facility treating the injured member.

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- B. The police shooting coordinator will:
 - 1. personally respond to the scene of the investigation.
 - 2. ensure the preservation of evidence and identification of witnesses.
 - 3. assume responsibility for the follow-up investigation under the direction of the Detective Division area commander.

X. INDEPENDENT POLICE REVIEW AUTHORITY RESPONSIBILITIES

- A. In all cases where a Department member has injured or killed a person by use of a firearm, IPRA will conduct a fair and impartial investigation into the circumstances surrounding the incident and make a determination as to whether the conduct of the member conformed to Department guidelines.
- B. IPRA will investigate instances in which a Department member has been involved in a firearm discharge incident outside the Chicago Police Department's jurisdiction and the incident involves allegations of misconduct against the member.
- C. In conducting these investigations, IPRA personnel will follow the procedures outlined in this directive.

XI. POST-FIREARM DISCHARGE PROCEDURES

- A. Firearm Processing ~~***~~
 - 1. No member of any rank will handle, inspect, unload, or otherwise tamper with the involved member's firearm prior to the arrival of Forensic Services Section personnel. Unless the member was disarmed, the firearm will remain holstered and secured pending the arrival of the watch commander and Forensic Services Section personnel.
 - 2. Forensic Services Section personnel will:
 - a. conduct the firearm inspection on scene in the presence of the watch commander.
 - * b. identify the firearm discharged by the Department member by its make, model, serial number, and other identifiers.
 - c. examine the firearm discharged by the Department member to determine the type of cartridges used.
 - d. examine the surrounding area to identify the number and location of cartridge casings.
 - e. inventory all firearms discharged by the Department member in accordance with established inventory procedures in cases in which:
 - 1. an individual has been injured or killed.

Firearm Discharge in Incidents other than the Destruction of Animals

Page 9 of 12

- A. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.
- B. ensure that all tasks delineated for lesser-ranking personnel have been or are being performed.
- C. designate the watch commander responsible for directing the preliminary investigation whenever the incident has occurred in more than one district.
- D. personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines.

NOTE: The occurrence of less serious transgressions may be addressed by the procedures described in the Department directive entitled "Summary Punishment."

- E. inform the involved member that he or she is required to:
 - 1. call the Professional Counseling Service within twenty-four hours of the incident.
 - 2. participate in the Traumatic Incident Stress Management Program.
- F. prepare the "Watch Commander/ADS Review" section of the TRR as follows:
 - 1. For accidental weapon discharge incidents, as defined in the Department directive entitled "Use of Force Guidelines," in which no person was killed or injured, the On-Call Incident Commander will not be responsible for the completion of the "Watch Commander/ADS Review" section of the TRR but may advise the watch commander on the conduct of the investigation.
 - 2. ~~For all other weapon discharge incidents described in this addendum or when the involved member is the same rank or higher than the watch commander, the On-Call Incident Commander will review all TRR(s) for legibility and completeness and complete the "Watch Commander/ADS Review" section of the TRR. The On-Call Incident Commander will receive the original of the TRR (s) from the watch commander conducting the preliminary investigation.~~
- G. return the completed TRR(s) to the watch commander conducting the preliminary investigation.
- H. prior to the termination of the tour of duty, submit a report to the Assistant Superintendent, Operations outlining the pertinent facts of the investigation and forward a copy of that report to the Independent Police review Authority.

IX. DETECTIVE DIVISION COMMAND RESPONSIBILITIES

- A. In all cases in which a member has been injured or killed by gunfire or has injured or killed a person by use of a firearm, the Detective Division area commander will designate a Detective Division supervisor to serve as the police shooting coordinator for that incident.


STATE'S ATTORNEY'S OFFICE RESPONSE TO IPRA

ATTENTION: INVESTIGATOR: K. Lyons
SUPERVISOR: _____
COORDINATOR: Andrea Stoutenborough

LOG# 1045896
U# 11-28
EO# _____

Date : 2/24/12


I. INITIAL INVESTIGATION REQUEST(S):

A large black rectangular redaction box covers the right side of the form, obscuring the text in the 'I. INITIAL INVESTIGATION REQUEST(S):' section. The box is oriented vertically and has some faint, illegible markings on its left edge.

II. ACCEPTED FOR FELONY PROSECUTION FOLLOWING:

YES: _____

REASON: No evidence of criminal intent or criminal activity by the officers;
complainant committed a home invasion and fled when police arrived and officers were
hanging in and out of the car trying to stop complainant from fleeing and he refused to
stop the car and crashed the car into buildings and telephone poles before the officers
fired their weapons;

Lynn McCarthy
Assistant State's Attorney
Phone: (773) 674-2970
Fax: (773) 674-2386
Email: 

INDEPENDANT REVIEW
INFO witnesses
EVIDENCE-GUNT
Bullets

FROM: Christopher Anaele, Subpoena Officer

Good morning/ afternoon Supervisor Maria Olvera and Inv. Kristi Lyons

The Legal Section received a subpoena from ASA Nina Ricci for a copy of **Log# 1045896**
(Reference: People v. Aaron Miller 11 CR 13372, please note that this is a criminal case and is
not necessarily associated with your case).

We need from the Investigator:

1. Make sure all files are as current as possible.
2. Provide the Legal Dept. with a copy of any and all materials associated with the investigative file.
 - IPRA is required to produce all non-privilege materials. While the Legal Dept. is responsible for determining what materials are privileged, investigators are responsible for making sure that the Legal Dept. has what is, to the best of the investigator's knowledge, all the materials associated with the investigative file, including but not limited to all numbered and non-numbered attachments such as Summary Report (Digest), Investigator's Log, photos, recordings, and all items that are not and will not become attachments, such as handwritten/typed/draft note and/or documents.

We need from the Supervisor:

1. Review the file and identify which, if any, materials you have a concern producing.
2. Please also articulate the basis for your concern for each such item.
3. Be sure all extension requests have been processed.
4. If this case has been submitted to the SAO, please let us know the current status.

Please respond to this request via email by the end of business day on May 21, 2012.

Thank you for your timely assistance in this matter.


STATE'S ATTORNEY'S OFFICE RESPONSE TO IPRA

ATTENTION: INVESTIGATOR: K. Lyons
SUPERVISOR: _____
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LOG# 1045896
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